

FBI File No. 100-HQ-460495 --- Section 110

66 "TREAT AS ORIGINAL" 77

Date: 3/27/72

PLAIN TEXT

Transmit the following in

(Type in plaintext or code)

TELETYPE

URGENT

Via

(Priority)

Mr. Tolson	
Mr. Felt	
Mr. Rosen	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Fonder	
Mr. Bates	
Mr. Wanket	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

TO DIRECTOR (100-460495) ATTN: DOMINTED  
FROM PHILADELPHIA (100-51190)(P) HARRISBURG TRIAL OF  
DEASTCON

COURT CONVENED 9:30 AM WITHOUT JURY AT WHICH TIME  
DEFENSE COUNSEL J. THOMAS MENAKER MADE MOTION TO ADMIT AS EVIDENCE  
SOME DEFENSE EXHIBITS AND TO WITHDRAW CERTAIN ITEMS USED BY THEM  
AS EXHIBITS. THE EXHIBITS TO BE WITHDRAWN WERE ALL READ TO THE  
COURT AND MENAKER THEN MOVED ALL OTHERS BE ADMITTED AS EVIDENCE.  
IN CONNECTION THEREWITH DEFENSE COUNSEL LEONARD BOUDIN ASSISTED IN  
ARGUING AT CONSIDERABLE LENGTH AS TO THE ADMISSIBILITY OF A LETTER  
WRITTEN BY BERRIGAN ACTIVIST ROSEMARY REUTHER ADDRESSED TO "DEAR  
FRIENDS." THIS LETTER HAD BEEN RECEIVED BY BOYD F. DOUGLAS FROM  
ANTHONY SCOBLOCK AND THEREAFTER AFFIXED TO A BULLETIN BOARD AT  
BUCKNELL UNIVERSITY BY DOUGLAS AT THE REQUEST OF REUTHER. THE COURT  
DESCRIBED THIS LETTER AS BEING CRITICAL OF FBI DIRECTOR J. EDGAR  
HOOVER IN CONNECTION WITH HIS TESTIMONY BEFORE THE SENATE APPRO-  
PRIATIONS COMMITTEE IN NOV., 1970, CRITICAL OF THE FEDERAL BUREAU OF  
INVESTIGATION IN GENERAL, ASSERTIONS THAT THE ANTI-WAR MOVEMENT IS  
NON-VIOLENT IN NATURE AND ADMITTED TO AN UNLAWFUL PLOT TO

GMM/JJM  
(1)

Approved: *Commissioner*

Special Agent in Charge

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP5

61 APR 4 1972

5-TPD

U.S. GOVERNMENT PRINTING OFFICE: 1971-513-132



PAGE TWO

PARTICIPATE IN A DEMONSTRATION AT THE JUSTICE BUILDING, WASHINGTON, D.C., IN DEC., 1970. BOUDIN STATED THAT THE ACT BY DOUGLAS OF POSTING THIS ON THE BULLETIN BOARD MADE THIS HIS OWN DOCUMENT AND SHOULD BE CONSIDERED RELEVANT IN THIS CASE SINCE IT SHOWS PROVOCATION BY DOUGLAS AFTER THE TESTIMONY OF MR. HOOVER IN NOV., 1970. AFTER ARGUMENT BY WILLIAM S. LYNCH, CHIEF PROSECUTOR, THIS MOTION WAS DENIED BY U.S.DISTRICT COURT JUDGE R. DIXON HERMAN AS NOT RELEVANT TO THE ISSUES AT TRIAL.

FOLLOWING RECESS JUDGE HERMAN ADVISED OF HIS RULINGS ON NUMEROUS MOTIONS MADE BEFORE THE COURT MAR. 24, 1972. MOTION TO STRIKE TESTIMONY CONCERNING THE VOICE IDENTIFICATION OF EQBAL AHMAD BY DOUGLAS WAS GRANTED. JUDGE HERMAN STATED THE SITUATION IN THIS CASE WAS ANALOGOUS TO THE ZIELER<sup>CASE</sup> CITED BY DEFENSE COUNSEL, WHICH WAS A PHOTO IDENTIFICATION PROBLEM.

HE DENIED A MOTION TO DISMISS AS TO MARY CAIN SCOBlick AND A SIMILAR MOTION WITH RESPECT TO DEFENDANT NEIL MC LAUGHLIN.

JUDGE HERMAN ADVISED THAT IN CONNECTION WITH BOUDIN'S MOTION TO DISMISS, AND IN THE ALTERNATIVE FOR MISTRIAL, HE WAS DENYING THIS MOTION EXCEPT AS TO DEFENDANT EQBAL AHMAD. HE STATED THAT AS TO EQBAL AHMAD HE WAS DISMISSING COUNTS II AND

PAGE THREE

IX OF THE INDICTMENT (THIS LEAVES AHMAD STILL CHARGED WITH COUNT I- CONSPIRACY).

AT THIS POINT BOUDIN MADE A MOTION FOR A JUDGMENT OF ACQUITTAL AS TO AHMAD WHICH WAS PROMPTLY DENIED.

ADDITIONAL ARGUMENTS BY DEFENSE COUNSEL PAUL O'DWYER ASSISTED BY BOUDIN WERE MADE RAISING NUMEROUS LEGAL PROCEDURAL MATTERS. IN CONNECTION THEREWITH JUDGE HERMAN ADVISED THAT HE WOULD CONSIDER SUCH IN CONNECTION WITH INSTRUCTIONS BY HIM BEFORE CHARGING JURY. PRINCIPAL ISSUE IN THIS ARGUMENT RELATED TO ADMISSIBILITY OF CERTAIN EVIDENCE IN VIEW OF CLAIM BY DEFENSE COUNSEL THAT FEDERAL STATUTE USED IN INDICTMENT CHARGING DESTRUCTION OF GOVERNMENT PROPERTY BY USE OF EXPLOSIVES WAS NOT EFFECTIVE DURING PERIOD SOME OVERT ACTS WERE BEING COMMITTED. THIS STATUTE (TITLE 18 USC 844 (F) WAS EFFECTIVE OCT. 15, 1970. GOVERNMENT'S RESPONSE IS THAT CASE PRECEDENT IS SUCH THAT ALL OVERT ACTS WOULD BE ADMISSIBLE REGARDLESS OF EFFECTIVE DATE OF STATUTE. JUDGE TAKING THIS MATTER UNDER CONSIDERATION.

COURT TO RECONVENE ON RECOMMENDED INSTRUCTIONS TO JURY AFTER CONSIDERATION OF THOSE SUBMITTED BY GOVERNMENT AND DEFENSE AT 3 PM.

END

**"TREAT AS ORIGINAL"**

Date: 4/4/72

Transmit the following in PLAIN TEXT  
(Type in plaintext or code)Via TELETYPE URGENT  
(Priority)

Mr. Tolson	
Mr. Felt	
Mr. Campbell	
Mr. Rosen	
Mr. Mohr	
Mr. Bishop	
Mr. Miller	ES
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. P. n. cer	
Mr. Bates	
Mr. Waikart	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

TO DIRECTOR (100-460495) ATTN: DOMINTEL  
 FROM PHILADELPHIA (100-51190)(P) HARRISBURG TRIAL OFFICE  
 EASTCON

AT 6 PM COURT WAS CONVENED WITHOUT JURY AT WHICH TIME DISTRICT COURT JUDGE R. DIXON HERMAN CALLED SIDEBAR CONFERENCE. AT CONFERENCE DEFENSE COUNSEL AGAIN MADE MOTION FOR DISCHARGE OF JURY AS HOPELESSLY DEADLOCKED WHICH WAS REFUSED. THEY THEN REQUESTED JUDGE HERMAN INSTRUCT JURY NOT TO REACH A COMPROMISE VERDICT AND THIS WAS ALSO REFUSED. JUDGE HERMAN THEN ORDERED JURY TO BE CALLED.

JUDGE HERMAN ADVISED JURY THAT PURSUANT TO THEIR REQUEST HE WAS ALLOWING THEM TO RETIRE FOR THE NIGHT AND TO CONTINUE DELIBERATIONS AT 9 AM APR. 5, 1972.

AFTER JURY LEFT COURT DEFENSE COUNSEL J. THOMAS MENAKER ADVISED JUDGE HERMAN HE WAS TAKING EXCEPTION TO JUDGE HERMAN'S REFUSAL TO ALLOW ONE OF THE JURORS TO KEEP A DENTAL APPOINTMENT ON APR. 5, 1972, DUE TO THE NATURE OF DELIBERATIONS AND ALSO TOOK EXCEPTION TO HIS FAILURE TO INQUIRE ON APR. 4, 1972, AS TO THE IDENTITY AND NATURE OF ILLNESS OF A JUROR WHICH WAS REFERRED TO IN ONE OF THE NOTES TO THE COURT. JUDGE HERMAN ADVISED THIS WOULD BE NOTED IN THE RECORD AND THIS WAS FOLLOWED BY A LENGTHY SPEECH ON THIS SUBJECT BY DEFENSE COUNSEL PAUL O'DWYER WHICH WAS IGNORED BY

GHM/JJM  
(1)

Approved:

54 APR 18 1972 Special Agent in Charge

**"TREAT AS ORIGINAL"**

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-5 KJH/ur

## Domestic Intelligence Division

## INFORMATIVE NOTE

Date 3-27-72

Eastcon trial convened 9:30 a.m., 3-27-72, without jury to hear arguments on various motions.

Judge R. Dixon Herman denied defense motion to admit into evidence letter received by Boyd F. Douglas from Eastcon activist which was posted on Bucknell University bulletin board at request of writer. Defense claimed this demonstrated provocation by Douglas.

Judge Herman also granted defense motion to strike testimony concerning identification of Eqbal Ahmad's voice by Douglas. Judge Herman then dismissed Counts II (mailing of threatening communication) and IX (contraband) of the indictment as to Ahmad. He is still charged in Count I, conspiracy. Judge also denied motions to dismiss as to defendants Mary Cain Scoblick and Neil McLaughlin. Regarding defense counsel Leonard Boudin's motion to dismiss, or in alternative for mistrial, denied except as it applied to defendant Ahmad noted above.

Judge Herman also promptly denied motion for judgment of acquittal as to Ahmad.

Court reconvenes at 3 p.m., 3-27-72, for additional arguments on procedural matters and to hear recommended instructions to jury being submitted by Government and defense.

FBG:plm

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HEREIN IS UNCLASSIFIED

DATE 7/5/80 BY SP-5

JJD  
RDS  
12/14/82

PAGE TWO

THE COURT. COURT WAS RECESSED AT 6:05 PM.

END

**"TREAT AS ORIGINAL"**

Date: 3/23/72

PLAIN TEXT

Transmit the following in \_\_\_\_\_

(Type in plaintext or code)

TELETYPE

URGENT

(Priority)

TO DIRECTOR (100-460495) ATTN: DOMINTEL

FROM PHILADELPHIA (100-51190)(P) HARRISBURG TRIAL OFFICE

*St. file*

*0* EASTCON

Mr. Tolson ✓  
 Mr. Felt ✓  
 Mr. Rosen ✓  
 Mr. Mohr ✓  
 Mr. Bishop ✓  
 Mr. Miller ✓  
 Mr. Callahan ✓  
 Mr. Casper ✓  
 Mr. Conrad ✓  
 Mr. Dalbey ✓  
 Mr. DeLoach ✓  
 Mr. Evans ✓  
 Mr. Gandy ✓  
 Mr. Malone ✓  
 Mr. McGuire ✓  
 Mr. Mumford ✓  
 Mr. Quinn ✓  
 Mr. Tavel ✓  
 Mr. Walters ✓  
 Mr. Soyars ✓  
 Tele. Room ✓  
 Miss Holmes ✓  
 Miss Gandy ✓

COURT RECONVENED FOLLOWING LUNCHEON RECESS FOR CROSS EXAMINATION OF [REDACTED] FBI LABORATORY. O'DWYER ASKED [REDACTED] TO PUT HIS EXPERTISE OUT OF HIS MIND AND BY LOOKING AT ONE HANDWRITING EXEMPLAR AND ONE OF THE BERRIGAN MC ALISTER LETTERS TO STATE WHETHER THERE WAS ANY QUESTION IN HIS MIND THAT THEY WERE NOT WRITTEN BY THE SAME INDIVIDUAL. [REDACTED] EXPLAINED THAT HE HAD ENTERED ON HIS EXAMINATION OF THESE PIECES OF EVIDENCE WITH AN OPEN MIND BUT AS A RESULT OF HIS EXAMINATION HE HAS FORMED CERTAIN VERY DEFINITE CONCLUSIONS WHICH MAKES THE QUESTION ASKED BY O'DWYER IMPOSSIBLE TO ANSWER.

CHIEF PROSECUTOR WILLIAM S. LYNCH THEN ROSE AND STATED AS A LAYMAN HE WOULD BE GLAD TO STIPULATE THAT THESE ITEMS APPEAR TO HAVE BEEN UNQUESTIONABLY WRITTEN BY THE SAME INDIVIDUAL AND ASKED MR. O'DWYER IF THIS PLEASED HIM. O'DWYER REPLIED THAT HE WAS SATISFIED. DEFENSE ATTORNEY J. THOMAS MENAKER CALLED TO THE ATTENTION OF SA [REDACTED] THREE WORDS "RECEIVED FROM TONY" WHICH WERE LOCATED IN THE UPPER LEFT HAND CORNER OF ONE OF THE MC ALISTER

**"TREAT AS ORIGINAL"**

GHM/JJM

(1)

Approved: APR 12 1972

Special Agent in Charge

Sent

DATE 7-15-80 BY SP-3

U. S. GOVERNMENT PRINTING OFFICE: 1971-243-124

PAGE TWO

LETTERS. [ ] STATED THAT HE HAD NOT MADE AN IDENTIFICATION WITH REGARD TO THE PERSON WHO HAD WRITTEN THESE THREE WORDS. HE WAS ASKED BY MENAKER IF HE COULD CONDUCT SUCH AN EXAMINATION BY COMPARING THIS WRITING TO NON EXEMPLARS OF BOYD F. DOUGLAS (WHO STATED HE HAD AFFIXED THESE WORDS TO THE LETTER). [ ] REQUESTED AND RECEIVED 15 MINUTES TO CONDUCT SUCH AN EXAMINATION.

FOLLOWING THE TESTIMONY OF THE NEXT TWO WITNESSES, [ ] RETURNED TO THE STAND AND TESTIFIED THAT WHILE THERE WERE SIMILARITIES TO DOUGLAS' WRITING, HE COULD NOT STATE POSITIVELY THAT IT WAS OR WAS NOT IDENTICAL THERETO.

[ ] LATENT FINGERPRINT EXAMINER, IDENTIFICATION DIVISION, WAS CALLED TO THE WITNESS STAND. DEFENSE COUNSEL PAUL O'DWYER AGREED TO STIPULATE TO "ANYTHING" ON FINGERPRINT IDENTIFICATION THAT MR. LYNCH DESIRED TO OFFER AS PROOF.

[ ] THEN IDENTIFIED A LATENT FINGERPRINT OF JOHN THEODORE GLICK (SEVERED DEFENDANT) FOUND ON A LETTER CLAIMING RESPONSIBILITY FOR THE DOVER DRAFT BOARD BREAK-IN ON JUNE 18, 1970. HE THEN IDENTIFIED A PALM PRINT OF ELIZABETH MC ALISTER FOUND ON A SIMILAR LETTER LOCATED IN THE STATE SELECTIVE SERVICE HEADQUARTERS WHICH WAS RAIDED AT WILMINGTON, DELAWARE, ON THE SAME DATE. DEFENSE

PAGE THREE

COUNSEL MENAKER ELICITED FROM [ ] THAT HE HAD ALSO EXAMINED TORN DRAFT RECORDS SUBMITTED AT THE SAME TIME BUT HAD FOUND NO IDENTIFIABLE LATENT FINGERPRINTS.

[ ] LATENT FINGERPRINT EXAMINER, IDENTIFICATION DIVISION, WAS CALLED AS A WITNESS AND THEN IDENTIFIED FINGERPRINTS OF JOSEPH WENDEROTH AND NEIL MC LAUGHLIN ON A LETTER ADDRESSED TO BOYD F. DOUGLAS. O'DWYER ANGRILY STATED THAT HE WAS NOT ONLY WILLING, AS PREVIOUSLY STATED, TO STIPULATE TO THIS TESTIMONY BUT THAT HE WAS WILLING TO ADMIT THAT THEY WROTE THIS LETTER. HE REFERRED TO THE GOVERNMENT'S INSISTENCE AT PRESENTING SUCH EVIDENCE AS "HISTRIONICS." [ ] THEN IDENTIFIED ELIZABETH MC ALISTER'S FINGERPRINTS ON A LETTER SENT TO PHILIP HERRIGAN AND HER PALM PRINT AND LATENT FINGERPRINT ON THE COVER NOTE TO DOUGLAS WHICH ENCLOSED THE "HOT, HOT LETTER" AND CAUTIONED DOUGLAS WITH REGARD TO THE HANDLING OF THE CONTENTS.

ON CROSS EXAMINATION MENAKER DETERMINED THAT [ ] HAD NOT EXAMINED ANY OTHER ITEMS OTHER THAN THE PAGES OF THOSE DOCUMENTS WHICH WERE REFERRED TO IN THE FOREGOING TESTIMONY.

[ ] LATENT FINGERPRINT EXAMINER, IDENTIFICATION DIVISION, WAS CALLED AND TESTIFIED, IDENTIFYING FINGERPRINTS OF JOSEPH WENDEROTH ON THE "DEMOLITION MATERIALS" MANUAL WHICH HAD



PAGE FOUR

BEEN FURNISHED HIM BY DOUGLAS. HE TESTIFIED THERE WERE 16 INDIVIDUAL FINGERPRINT IMPRESSIONS OF WENDEROTH ON THIS PARTICULAR ITEM AND WAS ALLOWED TO EFFECTIVELY DEMONSTRATE BY ENLARGED PHOTOGRAPHS SPECIFIC POINTS OF IDENTIFICATION. THIS RESULTED IN SEVERAL ANGRY EXCHANGES BETWEEN O'DWYER AND JUDGE HERMAN AS TO THE CONTINUATION OF SUCH TESTIMONY. O'DWYER STATED THAT BY SUCH TESTIMONY WE WERE "BEING GIVEN A TOUR OF THE FBI." [REDACTED] FURTHER TESTIFIED THAT ONE FINGERPRINT IMPRESSION OF JOSEPH WENDEROTH WAS ALSO FOUND ON THE "EXPLOSIVES AND DEMOLITIONS" MANUAL, ALSO LOANED TO WENDEROTH BY DOUGLAS.

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ON CROSS EXAMINATION MENAKER ELICITED THAT ON THE "DEMOLITION MATERIALS" MANUAL THERE WERE THREE FINGERPRINT IMPRESSIONS IDENTIFIED AS THOSE OF BOYD F. DOUGLAS. HE FURTHER TESTIFIED THAT NO OTHER LATENT FINGERPRINTS CONTAINED IN SUCH MATERIALS WERE IDENTIFIED BY HIM.

FOLLOWING A LENGTHY SIDEBAR CONFERENCE AND RECESS, COURT RECONVENED AT 3:58 PM WHEN LYNCH ADVISED THAT SUBJECT TO THE AVAILABILITY OF ZOIA HORN (JAILED FOR CONTEMPT OF COURT) THE GOVERNMENT RESTS.

FOLLOWING THIS JUDGE HERMAN ADJOURNED THE COURT, ADVISING JURY IT WOULD NOT BE RETURNED TO COURT UNTIL 2 PM/IN ORDER THAT THE

MAR. 24, 1972

PAGE FIVE

COURT DURING MORNING HOURS MAY ATTEND TO PROCEDURAL MATTERS.

AFTER JURY RETIRED, MENAKER ADDRESSED THE COURT INDICATING INTENTION OF DEFENSE COUNSEL TO FILE MOTIONS TO DISMISS AND FOR JUDGMENT OF ACQUITTAL.

IN CONNECTION THEREWITH HE REQUESTED THAT ALL DEFENDANTS EXHIBITS NOT THUS FAR ADMITTED AS EVIDENCE BE SO ADMITTED FOR THE PURPOSE OF THESE MOTIONS. THIS WAS OBJECTED TO BY LYNCH AND JUDGE HERMAN STATED HE WOULD NOT DO THIS WITHOUT BEING SHOWN APPROPRIATE LEGAL PRECEDENT THEREFORE. MENAKER ARGUED, CITING A CASE WHICH JUDGE HERMAN RETORTED HE DID NOT BELIEVE TO BE IN POINT AND THAT MENAKER WOULD BE GIVEN OPPORTUNITY ON MAR. 24, 1972, TO PROVIDE SUCH LEGAL PRECEDENT IF SUCH EXISTS.

COURT ADJOURNED UNTIL AM MAR. 24, 1972.

END

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Domestic Intelligence Division

INFORMATIVE NOTE

Date 4/5/72

At sidebar conference Eastcon judge R. Dixon Herman denied defense motion for discharge of jury as being hopelessly deadlocked and also denied defense request to instruct jury not to reach a compromise verdict.

After above on 4/4/72 jury adjourned shortly after 6:00 p.m. and will resume deliberations 9:00 a.m. 4/5/72.

TPD:kah

TPD

RLS

✓ RLS

7 W&C

gms  
DLS

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA/SP

March 24, 1972

Mr. J. Edgar Hoover:

The Harrisburg trial again reveals for the nth time how low the FBI stoops to carry on its nefarious law enforcement program.

The employment of such a man as your star witness reveals the corrupt character of the organization that would use such a criminal to achieve its ends.

Hitler and Stalin had nothing on J. Edgar Hoover, history will have to record, when it came to practicing the principle that the end justifies the means.

Disrespectfully yours,

Mr. Tolson  
Mr. Felt  
Mr. Campbell  
Mr. Rosen  
Mr. Mohr  
Mr. Bishop  
Mr. Miller, ES  
Mr. Callahan  
Mr. Casper  
Mr. Conrad  
Mr. Dalbey  
Mr. Cleveland  
Mr. Ponder  
Mr. Bates  
Mr. Winkert  
Mr. Walters  
Mr. Soyars  
Tele. Room  
Miss Holmes  
Miss Gandy

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EXP. PROC.

4-3-72

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DATE 7-15-88 BY SP-5 RGM/BJS

Tone of  
incoming  
available information  
Howl. not substantiated  
in Bufile's  
j/pur

00-460495-551

APR 8 1972

RESPONDENCE

APR 10 1972

March 24, 1972

Mr. J. Edgar Hoover:

The Harrisburg trial again reveals for the nth time how low the FBI stoops to carry on its nefarious law enforcement program.

The employment of such a man as your star witness reveals the corrupt character of the organization that would use such a criminal to achieve its ends.

22 DIRECTOR

4/12

APR 3 7 1972  
MR. JONES  
REC  
EX-105

REC-47 100-460495-554

APR 8 1972

CORRESPONDENCE

APR 10 1972

Mr. Tolson  
Mr. Felt  
Mr. Campbell  
Mr. Rosen  
Mr. Mohr  
Mr. Bishop  
Mr. Miller, ES  
Mr. Callahan  
Mr. Casper  
Mr. Conrad  
Mr. Dalbey  
Mr. Cleveland  
Mr. Ponder  
Mr. Bates  
Mr. Winkert  
Mr. Walters  
Mr. Soyars  
Tele. Room  
Miss Holmes  
Miss Gandy

40  
EXP. PROC.  
4-3-72 9

b6  
b7c

Domestic Intelligence Division

INFORMATIVE NOTE

Date 3/23/72

Attached pertains to afternoon session of Eastcon trial, 3/23/72.

Testimony provided by experts from FBI Laboratory and Identification Divisions regarding handwriting in Berrigan-McAlister letters and latent fingerprints on some of these letters and material left by perpetrators of draft board raids. It was obvious from attempts by defense attorneys to stipulate this material and by their objections, that the defense did not want this testimony to take place because of its impact upon the jury.

At 3:58 p.m., Chief Prosecutor W.S. Lynch advised the court that subject to availability of Zoia Horn, reluctant Government witness jailed for contempt, the Government rested its case. Defense scheduled to commence opening arguments 2:00 p.m., 3/24/72.

Defense counsel indicated intention to file motions to dismiss and for judgment of acquittal.

FBG:at

*7-67 RV*

*pure*

*WFS R. 10/5*

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DATE 7-15-80 BY SP-5 RJH/80

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

NR 002 SI CODED

11:54AM URGENT 3-9-72 MLC

TO : DIRECTOR (ATTN: DID) (100-460495) AND  
PHILADELPHIA (100-51190)  
FROM : SPRINGFIELD (100-13294)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Winkert	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

CEASTCON - DEMONSTRATIONS.

FATHER JAMES M. SHORTAL, SM - NEW LEFT.

A LEAFLET TITLED "Z - HE LIVES" PUBLISHED BY UNITED CAMPUS MINISTRY, SOUTHERN ILLINOIS UNIVERSITY - EDWARDSVILLE (SIU-E), IN ITS FEBRUARY NINETEEN SEVENTYTWO ISSUE CARRIED ARTICLE BY WRITER USING INITIALS J. S. FATHER JAMES M. SHORTAL CONTRIBUTES TO PAPER. ARTICLE IN PAPER IS TITLED "WHY I 'M GOING TO HARRISBURG" AND REFERS TO TRIAL OF "THE HARRISBURG SEVEN" WHICH THE ARTICLE DESCRIBES AS A SORT OF SPEARHEAD OF THE RADICAL CATHOLIC LEFT AT THE MOMENT. THE WRITER STATES THAT HE FEELS A BURDEN OF GUILT FOR NOT DOING ENOUGH IN THE PAST AND THE LEAST THAT HE CAN DO AT THIS TIME IS TO GIVE THE HARRISBURG SEVEN HIS SUPPORT.

SOURCE ONE, WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, STATED THAT FATHER SHORTAL APPROXIMATELY TWO WEEKS AGO  
END PAGE ONE

REC-51  
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DATE 7-15-80 BY SP-5 RJG/100

15 APR 7 1972

7 APR 11 1972

57m

PAGE TWO

HELD A MEETING AT THE RELIGIOUS CENTER AT SIU-E AT WHICH HE SOLICITED CONTRIBUTIONS FOR THE HARRISBURG DEFENSE COMMITTEE (HDC) AND FOR TRANSPORTATION EXPENSES TO HARRISBURG, PENNSYLVANIA, FOR THE PURPOSE OF ATTENDING THE TRIAL FOR FATHER PHILIP BERRIGAN, ET AL. SHORTAL RECEIVED NO SUPPORT FROM OTHER CATHOLIC PRIESTS IN ATTENDANCE.

SOURCE TWO, WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED THAT HE HAD RECEIVED INFORMATION THAT FATHER SHORTAL PLANS TO ATTEND THE TRIAL OF THE HARRISBURG SEVEN AT HARRISBURG, PENNSYLVANIA BUT SHORTAL WOULD NOT BE ELIGIBLE TO USE AN AUTOMOBILE ASSIGNED TO SIU-E. HE DESCRIBES SHORTAL AS A NON-MILITANT INDIVIDUAL BY NATURE.

ADMINISTRATIVE:

RE SPRINGFIELD AIRTEL DATED MARCH SIX, NINETEEN SEVENTYTWO AND PHILADELPHIA TELETYPE MARCH SEVEN, NINETEEN SEVENTYTWO.

SOURCE ONE IS [REDACTED]

b6  
b7C  
b7D

[REDACTED] (POSITION AND REQUEST).

END PAGE TWO



b6  
b7C  
b7D

PAGE THREE

SOURCE TWO IS [REDACTED]

[REDACTED] (POSITION AND REQUEST).

SPRINGFIELD THROUGH SOURCES ATTEMPTING TO OBTAIN SPECIFIC  
INFO CONCERNING PROPOSED TRIP OF SHORTAL AND IDENTITY OF  
COMPANIONS.

NO LHM FOLLOWS.

P.

END

~~NEED CORRECTION PAGE 3 LINE ONE WRD FOUR~~

GA.

CORRECTION IS [REDACTED]

GA

JTG FBI WASH DC

DECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE  
DATE 01-06-2011

FBI

Date: 4/3/72

Transmit the following in \_\_\_\_\_

(Type in plaintext or code)

Via AIRTEL

AIRMAIL, REGISTERED

(Priority)

TO: DIRECTOR, FBI (100-460495)

FROM: SAC, DENVER (100-10276) (RUC)

SUBJECT: EASTCON

Re Atlanta teletype to Bureau, dated 2/28/72.

The following sources have been contacted regarding  
[redacted] and a possible visit by him to Denver: (X) (u)

b6  
b7C

3/7/72  
3/7/72  
3/10/72  
3/14/72  
3/23/72



(X) (u)

b2  
b7D

In each instance the contacts advised they had not  
heard of [redacted] or any intended visit by him to  
Denver.

b6  
b7C

CLASS. & EXT. BY SP-5 RJA/m  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 4-3-92

- 2 - Bureau (RM)  
2 - Atlanta (RM)  
1 - Baltimore (RM) (Info)  
1 - Philadelphia (RM) (Info)  
1 - WFO (RM) (Info)  
1 - Denver  
DLP:pld  
(8)

REC-106

100-460495-5521

20 APR 6 1972

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF  
DATE 7-22-80

Class

Dix with

NEW LEED

Approved: [Signature]  
Special Agent in Charge

Sent

~~CONFIDENTIAL~~

Per

STC 579A

To: Mr. A. Rosen 4/5/72

From: E. S. Miller

Subject: EASTCON

Mr. Tolson ✓  
Mr. Mohr ✓  
Mr. Casper ✓  
Mr. Callahan ✓  
Mr. Conrad ✓  
Mr. Dalbey ✓  
Mr. Cleveland ✓  
Mr. Felt ✓  
Mr. Gale ✓  
Mr. Rosen ✓  
Mr. Sullivan ✓  
Mr. Tavel ✓  
Mr. Trotter ✓  
Tele. Room ✓  
Miss Holmes ✓  
Miss Gandy ✓

You were previously advised generally of the contents of a sealed note the jury had passed to the Judge which again dealt with definition of conspiracy. We are now advised as follows:

Government counsel advised in-chamber session with Judge Herman ended 12:45 p.m. on question of instruction to jury in answer to note received this a.m. Government recommended following instruction to jury: "You may find the defendant guilty on count 1 if you find beyond a reasonable doubt that he conspired to commit a, b, c and f, even though you do not find beyond a reasonable doubt that any defendants conspired to commit d and e on count 1." Judge Herman advised he will convene court 1:30 p.m. at which time he will hear arguments of defense counsel in opposition to his decision to utilize substantially the recommended instruction proposed by the Government.

Above letter designations pertain to statutes included in count 1 of indictment.

You will be immediately advised of additional information received.

RLS:pcn

REC-106

100-460495-5522

APR 7 1972

RLS

ALL INFORMATION CONTAINED  
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DATE 7-15-80 BY SP-5 NJS/BJL  
1142

55 APR 10 1972

To: Mr. A. Rosen 4/5/72

From: E. S. Miller

Subject: EASTCON

You were previously advised the EASTCON jury passed a sealed note to the Judge this morning and the Judge called a conference in chambers at 12 Noon. The conference in chambers continues, however, we are advised the note read generally along the following lines:

A note was sent to Judge Herman which said a juror wants an answer to the following question before they complete deliberations. Question is, if they find defendants conspired to violate the laws in a, b, c and f but did not conspire to violate laws in d and e, can they find them guilty.

Above letter designations pertain to statutes cited in Count 1 of indictment. D and e specifically refer to damage of Government property by explosives and unlawfully possessing destructive devices, respectively.

You will be immediately advised of additional information received.

RLS:djr

REC-106

100-460495-5523

22 APR 7 1972

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-5

55 APR 10 1972

TO: MR. ROSEN  
FROM: MR. MILLER  
RE: EASTCON

3/31/72

Personnel at the Harrisburg Trial Office just advised Judge Herman met with jury at their request about 9:15 today. In accordance with their request, he reread his charge to the jury concerning conspiracy. At a sidebar conference with the Judge there was discussion concerning transcripts jury had requested for 3/2, 3, 8, 9/72. Judge advised these transcripts will be made available to the jury. However, they contained sidebar discussions which would have to be excised by prosecution and defense counsel. Judge Herman advised jury a chalk board had been placed in the jury room at their request.

We were advised transcripts of 3/2, and 3/72 concern direct examination of Boyd Douglas by Chief Prosecutor William S. Lynch and relate to broad aspects of conspiracy. Transcripts of 3/8-9/72 relate to cross-examination by defense counsel Paul O'Dwyer and Terry Lenzner, of Douglas. Jury also requested transcripts of closing arguments and were advised such arguments are not facts and cannot be considered as evidence, and are not to be used in their considerations. Jury was instructed to continue their deliberations pending receipt of the requested material. Detailed teletype follows.

Mr. Tolson	✓
Mr. Felt	✓
Mr. Campbell	✓
Mr. Rosen	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Miller, ES	✓
Mr. Callahan	✓
Mr. Casper	✓
Mr. Conrad	✓
Mr. Dalbey	✓
Mr. Cleveland	✓
Mr. Ponder	✓
Mr. Bates	✓
Mr. Waikart	✓
Mr. Walters	✓
Mr. Soyars	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

RLS:esh

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA/108

REC-106

100-460495-5524  
13 APR 7 1972

55 APR 10 1972

**"TREAT AS ORIGINAL"**

F B I

Date: 4/4/72

Transmit the following in

PLAIN TEXT

(Type in plaintext or code)

Via

TELETYPE

URGENT

(Priority)

Mr. Tolson	
Mr. Felt	
Mr. Campbell	
Mr. Bates	
Mr. Miller, L.S.	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Ponder	
Mr. Bates	
Mr. Waikart	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

TO

DIRECTOR (100-460495) ATTN: DOMINTEL

FROM

PHILADELPHIA (100-51190)(P) HARRISBURG TRIAL OFFICE

EASTCON

AT CONFERENCE IN CHAMBERS AFTER 2 PM THIS DATE U.S. DISTRICT COURT JUDGE R. DIXON HERMAN DENIED DEFENSE COUNSEL MOTION TO DISCHARGE JURY AS HOPELESSLY DEADLOCKED. JUDGE HERMAN AT THAT TIME ADVISED HE WOULD CALL JURY IN AFTER 3:30 PM BUT DID NOT ADVISE COUNSEL HOW HE WOULD INSTRUCT JURY.

AT 3:50 PM JURY RETURNED TO COURT AT WHICH TIME JUDGE HERMAN ADVISED HE DESIRED TO KNOW WHETHER ANY CONTINUED DELIBERATIONS WOULD BE HELPFUL IN ARRIVING AT ANY AGREEMENT AS TO COUNTS AND DEFENDANTS IN INDICTMENT. HE OBSERVED THAT HE HAD PREVIOUSLY ADVISED JURY SUNDAY, APRIL 2, 1972, THAT IF THEY ARE HOPELESSLY DEADLOCKED AND CANNOT REACH A UNANIMOUS VERDICT HE WOULD BE OBLIGED TO DISCHARGE JURY. HE REMINDED THEM THAT EACH JUROR IN DELIBERATIONS MUST EXERCISE HIS OWN INDEPENDENT JUDGMENT. JUDGE HERMAN THEN INQUIRED OF THE FOREMAN, [REDACTED], WHETHER ANY PROGRESS WAS BEING MADE WITHOUT SPECIFYING THE NATURE OF ANY SUCH PROGRESS. [REDACTED]

REPLIED PROGRESS HAD BEEN MADE IN THE LAST TWO HOURS OF DELIBERATION AND BELIEVED MORE COULD BE MADE IF FURTHER TIME IS TAKEN BY THE JURY.

GHM:JJM

Approved: [Signature]

Sent

Per

DATE

Per

By

SP-5

7/15/80

BY

SP-5

7/15/80

BY

SP-5

7/15/80

BY

SP-5

7/15/80

b6  
b7C

PAGE TWO

TO DELIBERATE. [ ] THEN VOLUNTEERED THAT SUCH DELIBERATIONS MIGHT LAST LONGER THAN TODAY AND REQUESTED COURT'S PERMISSION TO RETIRE AT 6 PM IF VERDICT HAD NOT BEEN ARRIVED AT. JUDGE HERMAN ADVISED THAT IF NO VERDICT WERE REACHED BY THAT HOUR HE WOULD ALLOW THEM TO RETIRE AND RETURN TO JURY ROOM 9 AM APR. 5, 1972.

JURY RETURNED TO DELIBERATIONS 3:53 PM.

DEFENSE COUNSEL PAUL O'DWYER INSISTED THAT OBSERVATIONS OF [ ] WERE NOT SHARED BY SEVERAL JURORS [ ] AND [ ] WHOM O'DWYER NOTED TURNED TO [ ] AS THOUGH TO SPEAK IN DISAGREEMENT WITH HIM.

CHIEF PROSECUTOR WILLIAM S. LYNCH STATED HE SAW NO SUCH DISAGREEMENT REFLECTED ON ANY OF JUROR'S FACES AND JUDGE AGREED, DENYING MOTION BY O'DWYER THAT JURY BE RETURNED FOR PURPOSE OF INTERROGATING EACH JUROR ON QUESTION OF PROGRESS TOWARD VERDICTS.

JUDGE HERMAN NOTED THAT HE DIRECTED QUESTION TO [ ] THE FOREMAN WHO SPEAKS FOR THE JURY.

END

FBI

Date: 3/31/72

PLAIN TEXT

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via TELETYPE URGENT  
(Priority)

TO DIRECTOR (100-460495) ATTN: DOMINTEL - RESEARCH  
 FROM PHILADELPHIA (100-51190) (3) HARRISBURG TRIAL OFFICE  
 EASTCON DEMONSTRATIONS

ON 3/31/72 APPROXIMATELY 650 DEMONSTRATORS FORMED A  
 MOTORCADE FROM CITY ISLAND, HARRISBURG, PA., TO NEW CUMBERLAND, PA.,  
 ARMY DEPOT IN SUPPORT OF HARRISBURG 7. DEMONSTRATION CONSISTED OF A  
 PARADE FROM PARKING LOT OF HARRISBURG STATE AIRPORT TO ARMY DEPOT.  
 UPON ARRIVAL, DEMONSTRATORS SANG, CHANTED AND WAVED BANNERS REGARD-  
 ING AIR WAR IN VIETNAM AND TOLL OF 300 DEAD PER DAY IN VIETNAM.

[REDACTED] HOLY FAMILY CHURCH, HARRISBURG, PA.  
 SPOKE FOR BRIEF PERIOD OF TIME RE. JUDAS AND EASTER HOLIDAYS.

[REDACTED] SEVERED DEFENDANT, HARRISBURG 7 TRIAL, SPOKE, ENCOUR-  
 AGING DEMONSTRATORS TO GO TO MAIN GATE OF NEW CUMBERLAND ARMY DEPOT  
 TO PLANT A TREE AND BURY A CASKET CONTAINING VARIOUS DRAFT AND ESTAB-  
 LISHMENT ITEMS, SUCH AS CREDIT CARDS. WHEN CROWD DID NOT MOVE, A  
 MEMBER OF THE VIETNAM VETERANS AGAINST THE WAR (VVAW) STEPPED FORWARD  
 AND TOOK OVER MICROPHONE. HIS SPEECH CONSISTED OF DIALOG DEROGATORY  
 TO MILITARY POLICE WHO WERE IN ATTENDANCE. 44 INDIVIDUALS CLIMBED  
 FENCE SURROUNDING HELICOPTER SECTION AND WERE DETAINED FOR LATER DE-  
 BARMENT BY MILITARY POLICE AND CIVILIAN SECURITY GUARDS. A MAJOR JAMES

CRS/36 APR 1 1972. data deleted"

(1)

Approved: [Signature]

Special Agent in Charge

Sent

M

Per

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-15-80 BY SP-5 JWB/X



PAGE TWO

ROARK, PROVOST MARSHAL AT THE DEPOT, ADVISED THAT 44 INDIVIDUALS WERE DETAINED AT SECURITY HEADQUARTERS, PHOTOGRAPHED, AND AN ISSUE OF DEBARMENT WAS HANDED TO THEM AT WHICH TIME THEY WERE TRANSPORTED TO THE MAIN GATE AND RELEASED. DEMONSTRATION COMMENCED AT ABOUT 2:15 PM AND ENDED AT ABOUT 5 PM.

NO INCIDENTS OF VIOLENCE AND NO ARRESTS OCCURRED.

DETAINMENTS ONLY WERE ADMINISTERED BY MILITARY POLICE.

END

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## Domestic Intelligence Division

## INFORMATIVE NOTE

Date 4/4/72

Eastcon jury reconvened 3:50 p.m. 4/4/72. Judge R. Dixon Herman asked if continued deliberations would be helpful in arriving at agreement as to counts and defendants in indictments. Reminded jury each juror must exercise own judgement.

Jury foreman advised progress had been made during last two hours deliberation and believed more could be made with additional consideration. He added such deliberation might last longer than today's session. Jury to retire at 6:00 p.m. if no verdict reached and will resume 9:00 a.m. 4/5/72. Jury then returned to jury room at 3:53 p.m.

Defense counsel Paul O'Dwyer then argued observations of foreman not shared by two jurors indicating he voted disagreement in their facial expressions and asked each juror be questioned regarding progress toward verdicts. Chief prosecutor W. S. Lynch stated he saw no such disagreement and Judge concurred. Judge also noted foreman speaks for jury and discussion was ended.

FBG:crc

ccv

FAG

RCS

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 GMM  
RCS

TREAT AS ORIGINAL

FBI

Date: 4/5/72

PLAIN TEXT

Transmit the following in

(Type in plaintext or code)

TELETYPE

URGENT

Via

(Priority)

Mr. Tolson  
Mr. Belmont  
Mr. Campbell  
Mr. Rosen  
Mr. Mohr  
Mr. Bishop  
Mr. Miller  
Mr. Callahan  
Mr. Casper  
Mr. Conrad  
Mr. Dalbey  
Mr. Cleveland  
Mr. Ponder  
Mr. Bates  
Mr. Waikart  
Mr. Walters  
Mr. Soyars  
Tele. Room  
Miss Holmes  
Miss Gandy

TO DIRECTOR (100-460495) ATTN: DOMINTEL  
FROM PHILADELPHIA(100-51190)(P) HARRISBURG TRIAL OFFICE  
EASTCON

FOLLOWING DISCHARGE OF JURY AFTER VERDICT WAS RENDERED  
DEFENSE COUNSEL J. THOMAS MENAKER REQUESTED COURT TO DISCLOSE CON-  
TENTS OF MESSAGE RECEIVED FROM A JUROR. U. S. DISTRICT COURT JUDGE  
R. DIXON HERMAN ADVISED AT THE TIME HE RECEIVED NOTIFICATION FROM  
JURY THAT IT HAD REACHED A PARTIAL VERDICT, HE HAD ALSO RECEIVED A  
LETTER IN A SEALED ENVELOPE FROM A JUROR (NOT THE FOREMAN) WHICH  
BORE ON THE OUTSIDE A NOTATION THAT IF SUCH A MESSAGE WAS NOT  
PROPER IT SHOULD BE DESTROYED. JUDGE HERMAN ADVISED THAT SINCE HE  
HAS NOT READ THIS MESSAGE, HE HAS NO KNOWLEDGE THAT IT PERTAINS TO  
THE TRIAL. HE STATED HE WAS ORDERING THIS TO BE SEALED AND MADE A  
PART OF THE RECORD. DEFENSE COUNSEL STRENUOUSLY OBJECTED TO THIS  
PROCEDURE.

REC-51 100-460495-5527

EX-105

22 APR 7 1972

JUDGE HERMAN THEN STATED IN RESPONSE TO A DEFENSE COUNSEL  
REQUEST THAT HE WOULD HOLD A POST TRIAL HEARING ON THE QUESTIONS OF  
"DISCRIMINATORY PROSECUTION" AND "ELECTRONIC SURVEILLANCE" ON CONTAINED  
WAS SET.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 JKT/ML

FOLLOWING COURT ADJOURNMENT, JUDGE HERMAN CALLED DEFENSE  
COUNSEL TO THE COURT AND STATED THAT ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-5 JKT/ML

Approved: [Signature]  
Special Agent in Charge

DATE 7-15-80 BY SP-5 JKT/ML

PAGE TWO

AND GOVERNMENT COUNSEL TO CHAMBERS AND ADVISED THAT HE HAD, BASED ON DEFENSE COUNSEL OBJECTION, DECIDED TO READ THE LETTER RECEIVED FROM A JUROR. HE ADVISED THEM THAT THIS LETTER IN NO WAY IMPEACHED VERDICT AND SINCE HE DID NOT WANT IT GIVEN TO NEWS MEDIA THIS DATE, HE WOULD NOT MAKE IT AVAILABLE FOR REVIEW BY COUNSEL UNTIL AM APR. 6, 1972.

HE FURNISHED NO FURTHER DETAILS CONCERNING THIS MATTER.

END

**"TREAT AS ORIGINAL"**

FBI

Date: 4/6/72

Transmit the following in

PLAIN TEXT

(Type in plaintext or code)

Via TELETYPE

URGENT

(Priority)

Mr. Tolson	/
Mr. Felt	/
Mr. C. W. Call	/
Mr. Rosen	/
Mr. Mohr	/
Mr. Ladd	/
Mr. Miller	/
Mr. Callahan	/
Mr. Casper	/
Mr. Conrad	/
Mr. Dalbey	/
Mr. Cleveland	/
Mr. Ponder	/
Mr. Bates	/
Mr. W. Hart	/
Mr. Walters	/
Mr. S. Cars	/
Tele. Room	/
Miss Holmes	/
Miss Gandy	/

TO: DIRECTOR, FBI (100-460495) ATTN: DOMINTEL

FROM: SAC, PHILADELPHIA (100-51190) (P) HARRISBURG TRIAL OFFICE

EASTCON

AM 4/6/72 WILLIAM S. LYNCH ADVISED HE HAS BEEN ADVISED BY US DISTRICT COURT JUDGE R. DIXON HERMAN THAT POST TRIAL HEARINGS ON "DISCRIMINATORY PROSECUTION" AND "ELECTRONIC SURVEILLANCE" REQUESTED BY DEFENSE ARE SCHEDULED FOR 5/2/72.

LYNCH ADVISED UNOPENED LETTER FROM A JUROR RECEIVED BY JUDGE HERMAN PM 4/5/72 WAS OPENED BY JUDGE HERMAN. LYNCH ADVISED JUDGE HERMAN CONFIDENTIALLY ADVISED JUROR [REDACTED] WROTE LETTER WHICH WILL BE MADE AVAILABLE TO COUNSEL FOR REVIEW THIS DATE. LYNCH WAS INFORMED THE CONTENTS OF LETTER DID NOT IMPEACH VERDICT BUT DID ALLEGE JURY FAILED TO ABIDE BY JUDGE'S INSTRUCTIONS.

b6  
b7c

HARRISBURG TRIAL OFFICE CLOSED THIS DATE.

22 APR 7 1972

END

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-3 [signature]

GHM:DHM

**"TREAT AS ORIGINAL"**

51 APR 12 1972

Approved: [signature]

Sent

M

Per

## Domestic Intelligence Division

## INFORMATIVE NOTE

Date 4/5/72

Following discharge of Eastcon jury defense requested Judge R. Dixon Herman to disclose contents of message to him from unidentified juror which bore notation on envelope that if it were not proper it should be destroyed. Judge first decided not to read message but later changed mind. He advised counsel that message in no way impeached verdict and since he did not want it given to news media this date he will not make it available to counsel until 4/6/72.

Post trial hearings on defense motions regarding discriminatory prosecution and electronic surveillance to be held, but no date set.

FBG:crc

CRW

Fdg

RLS

EM/s

Rk

WGC

DD  
JMC

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-3 RJA/11/72

**"TREAT AS ORIGINAL"**

Date: 4/5/72

Transmit the following in

PLAIN TEXT

(Type in plaintext or code)

Via

TELETYPE

URGENT

(Priority)

Mr. Tolson  
Mr. Belmont  
Mr. Casper  
Mr. Callahan  
Mr. Conrad  
Mr. Dalbey  
Mr. Cleveland  
Mr. Felt  
Mr. Gale  
Mr. Rosen  
Mr. Sullivan  
Mr. Tavel  
Mr. Trotter  
Mr. Tele. Room  
Miss Holmes  
Miss Gandy

TO DIRECTOR (100-460495) ATTN: DOMINTEL  
FROM PHILADELPHIA (100-51190)(P) HARRISBURG TRIAL OFF  
EASTCON

RETEL 4/2/72 REFLECTING CONVICTION PHILIP BERRIGAN COURT

IV.

JURY RETURNED WITH FURTHER VERDICT AT 4:25 PM.

VERDICTS ARE:

COUNT I	EQBAL AHMAD	NO VERDICT
	PHILIP BERRIGAN	NO VERDICT
	ELIZABETH MC ALISTER	NO VERDICT
	NEIL MC LAUGHLIN	NO VERDICT
	ANTHONY SCOBlick	NO VERDICT
	MARY CAIN SCOBlick	NO VERDICT
	JOSEPH WENDEROTH	NO VERDICT

COUNT I IS THE CONSPIRACY COUNT AND HAS A MAXIMUM PENALTY OF 5 YEARS CONFINEMENT AND/OR A FINE OF \$10,000.00.

COUNT II	ELIZABETH MC ALISTER	NO VERDICT
COUNT III	PHILIP BERRIGAN	NO VERDICT

COUNTS II AND III ARE THE THREATENING COMMUNICATION CHARGES AND ARE PUNISHABLE BY CONFINEMENT FOR 5 YEARS AND/OR A FINE

**"TREAT AS ORIGINAL"**

WBA/JJM  
(1)

Approved: *James J. [Signature]*  
Special Agent in Charge

Sent

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-15-80 BY SP-5 [Signature]

57 APR 11 1972

22 APR 7 1972

REC 107

100-460495-5529

PAGE TWO

OF UP TO \$1,000.00.

COUNT V	ELIZABETH MC ALISTER	GUILTY
COUNT VI	PHILIP BERRIGAN	GUILTY
COUNT VII	ELIZABETH MC ALISTER	GUILTY
COUNT VIII	PHILIP BERRIGAN	GUILTY
COUNT IX	ELIZABETH MC ALISTER	GUILTY
COUNT X	PHILIP BERRIGAN	GUILTY

COUNTS IV THROUGH X ARE THE INTRODUCTION OF CONTRABAND  
STATUTE. THIS IS PUNISHABLE BY TEN YEARS IN CUSTODY OF THE ATTORNEY  
GENERAL. NO FINE.

JUDGE HERMAN SET NO DATE FOR SENTENCING.

DEFENDANTS ALL RELEASED ON PRESENT BAIL.

END



## Domestic Intelligence Division

## INFORMATIVE NOTE

Date 4/6/72

Eastcon chief prosecutor W.S. Lynch advised 4/6/72 post-trial hearings on discriminatory prosecution and electronic surveillance requested by defense scheduled for 5/2/72 by Judge R. Dixon Herman.

Lynch also advised confidentially that he had determined the letter received by Judge Herman at time of verdict was from juror [redacted] Lynch was advised by Judge Herman contents of letter did not impeach verdict but did allege jury failed to abide by Judge's instructions.

b6  
b7c

Harrisburg Trial Office closed  
4/6/72.

FBG:djr

Bg

RLS

EM/2

P/S  
7

R/S

DD  
G/M

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 M. T. H.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

NR010 PH CODE

MAR 27 1972

10:04 AMURGENT 3-28-72 DMS

TELETYPE

TO DIRECTOR (100-460495)

ATTN: DOMINTEL - RESEARCH

WFO (100-52299)

FROM PHILADELPHIA (100-51190) (P)

2P

~~CONFIDENTIAL~~

APPROPRIATE AGENCIES

EASTCON - DEMONSTRATIONS

SLIP(S) OF class  
DATE 7-22-80 A.P.T.

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Miller, ES \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Dalbey \_\_\_\_\_  
Mr. Cleveland \_\_\_\_\_  
Mr. Ponder \_\_\_\_\_  
Mr. Bates \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

DURING LATE PM MARCH TWENTYSEVEN SEVENTYTWO A SOURCE

ADVISED THAT ON

[REDACTED]

b6  
b7C  
diffin.  
Two

b7D

SOURCE ALSO ADVISED THAT

[REDACTED]

6 1972

51 APR 2 1972

REASON - FCIM 11, 1-2. 4.2

DATE OF REVIEW 3-28-92

~~CONFIDENTIAL~~

White House  
summary tel

~~CONFIDENTIAL~~

PH 100-51190

PAGE TWO

[REDACTED]

b7D

[REDACTED]

~~(u)~~

[REDACTED]

[REDACTED]

~~(u)~~

ADMINISTRATIVE: SELECTIVE SERVICE , LOCAL AUTHORITIES,  
U.S. ATTORNEY COGNIZANT OF ABOVE.

UACB AGENTS WILL CONDUCT PHOTOGRAPHIC SURVEILLANCE  
OF [REDACTED] THIS DATE.

SOURCE IS

[REDACTED]

~~(u)~~

b2  
b7D

END

LMR FBI WA DC

~~CONFIDENTIAL~~

## Domestic Intelligence Division

## INFORMATIVE NOTE

Date 4/5/72

Court reconvened 4:10 p.m., 4/5/72, and Eastcon jury rendered verdict ending at 4:25 p.m. No verdict returned on Counts I, II and III (conspiracy and threatening communications). Elizabeth McAlister and Philip Berrigan found guilty on Counts V through X, three counts each (contraband letters). Berrigan also found guilty on 4/2/72 of Count IV, also contraband violation.

Judge R. Dixon Herman set no date for sentencing and all defendants continued on present bond except Philip Berrigan.

FBG:djr

FG RLS EMs

WGC

R. K.  
JAN

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA/AN

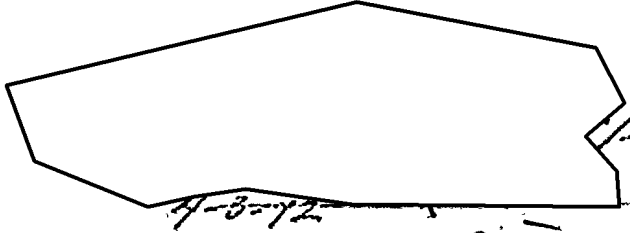
Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalby	_____
Mr. Cleveland	_____
Mr. P. order	_____
Mr. Pates	_____
Mr. W. Hart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

FASTCON

Another presentation of the following parts of your charge may be helpful in further deliberations:

- a. Violation of Title 18 USC (Explosion in tunnels) Section 844(f) \* pg 2 (d)
- b. Violation of Title 26 USC (possession of explosive device) Section 5861(d) \* pg 2 (e)
- c. Use of circumstantial evidence (charge) <-
- d. Definition of threat \* (counts 2,3) f
- e. Comments on Entrapment (charge) <-

REC 27 100-460493-5531  
NOT RECORDED  
22 APR 7 1972



b6  
b7C

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 JKH/ML

1- ENCLOSURE

\* SEE INDICTMENT

52 APR 11 1972

*Shirley*  
*Goff*  
*th*

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 2 1972

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Wikart	_____
Mr. Walters	_____
Mr. S. vars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR003 PH PLAIN

955 PM NITEL 4-2-72 DCC

TO DIRECTOR

ATTN DOMESTIC INTELLIGENCE - RESEARCH SECTION

FROM PHILADELPHIA (100-51190) ONE PAGE

EASTCON - DEMONSTRATIONS

CHIEF PAUL KING, HARRISBURG, POLICE DEPARTMENT, HARRISBURG, PA., ADVISED SUNDAY, FOUR TWO SEVENTYTWO, THAT MAJORITY OF DEMONSTRATORS HAVE DEPARTED HARRISBURG AREA. SUNDAY A.M. DEMONSTRATORS STOPPED AT FEDERAL BUILDING FOR BRIEF PRAYER ON WAY TO EASTER SUNRISE SERVICES, CITY ISLAND. NO INCIDENTS OCCURRED. SMALL CONTINGENT RANGING FROM TWENTY FIVE TO FIFTY REMAINED OUTSIDE FEDERAL BUILDING AWAITING JURY'S DECISION. NO DISTURBANCES OR INCIDENTS OCCURRED. NO FURTHER PLANNED DEMONSTRATIONS KNOWN THIS DATE.

END

MRF FBI WA DC

REC-21

EX-105

16 APR 6 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RTH/ur

61 APR 12 1972

APR 10 1972

*D. [Signature]*

Domestic Intelligence Division

INFORMATIVE NOTE

Date 4/3/72

Personnel at Harrisburg Office advised at about 3:20 pm jury contacted Judge Herman as previously agreed and furnished a written request for another presentation of specific information concerning his charge to them.

Five points were listed as follows:  
 (1) Violation Title 18, U.S. Code, Section 844 (f) (alleged use of explosives to damage tunnels) (page 2, d of indictment). (2) Violation of Title 26, U.S. Code, Section 5861 (d) (possession of explosive devices) (page 2, e of indictment). (3) Use of circumstantial evidence (covered in charge to jury). (4) Definition of threat (counts two and three of indictment regarding threatening letters). (5) Comments on entrapment (Judges charge to the jury).

That note is attached hereto with notations of how the violations involved relate to the indictment. The Judge will read those portions of the charge pertaining to the above.

RLS:djr

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-15-80 BY SP-5 [Signature]  
[Signature] [Signature]

*NOTE WAS SENT DOWN BY  
 FACSIMILE TRANSMISSION 5/27/72*

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAR 23 1972

NR 038 NY CODE

830 PM URGENT 3-23-72 BGW

TO DIRECTOR (100-460495)

ATTN: DID

PHILADELPHIA (100-51190) (SUB L)

FROM NEW YORK (100-168839) 2P

TELETYPE

CONFIDENTIAL

ADVISED BY ROUTING  
SLIP(S) OF  
DATE 7-22-80

EASTCON-DEMONSTRATIONS

CLASS. & EXT. BY SP-5 RTA/ry  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 3-23-92

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Miller \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Dalbey \_\_\_\_\_  
Mr. Cleveland \_\_\_\_\_  
Mr. Ponder \_\_\_\_\_  
Mr. Bates \_\_\_\_\_  
Mr. Walkart \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

b6  
b7c

ON MARCH TWENTY THREE SEVENTY TWO, A CONFIDENTIAL  
SOURCE, RELIABLE IN PAST, ADVISED CIVIL DISOBEDIENCE  
(CD) ACTION IS BEING PLANNED IN HARRISBURG, PA., DURING

[REDACTED]

[REDACTED]

[REDACTED]

b7D

91-115 REC-54

100-460495-5533

10 APR 10 1972

END PAGE ONE

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61 APR 13 1972

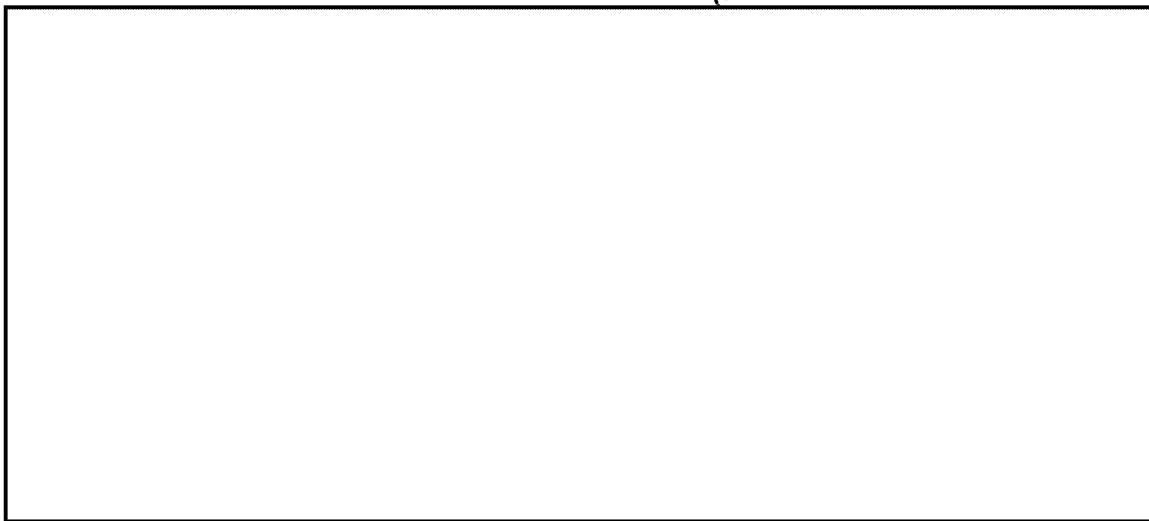
CONFIDENTIAL

5/02



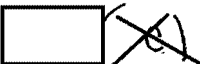
PAGE TWO

~~CONFIDENTIAL~~

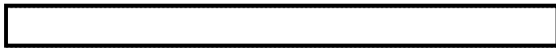


b7D

FEW PARTICIPANTS FROM NEW YORK CITY ARE EXPECTED



ADMINISTRATIVE:

SOURCE IS  CLASSIFY

b2  
b7D

"~~CONFIDENTIAL~~" IF DISSEMINATED. PHILADELPHIA HANDLE. ~~(S)~~

END

cc- 

~~CONFIDENTIAL~~

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b7C

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 5 1972

TELETYPE

NR 012 SF CODE

240AM NITEL 4/4/72 EJG SENT 4-5-72

W TO: DIRECTOR, FBI (ATTN DOMINTEL)  
PHILADELPHIA

FROM: SAC, SAN FRANCISCO (100-68408) (P) 1P

EASTCON (DEMONSTRATION)

RE WFOTEL TO DIRECTOR THREE SEVENTEEN SEVENTYTWO AND  
MYTEL TO DIRECTOR THREE TWENTY SEVENTYTWO.

FOR INFORMATION OF RECIPIENTS, NO DEMONSTRATIONS WERE  
NOTED TO HAVE TAKEN PLACE IN THE SAN FRANCISCO BAY AREA DURING  
PERTINENT PERIOD MARCH TWENTYFIVE DASH APRIL TWO, SEVENTYTWO  
SUPPORTING THE QUOTE HARRISBURG SEVEN ENQUOTE. INFORMANTS HAVE  
NOT BEEN ABLE TO DEVELOPE ANY INFORMATION REGARDING ANY SUPPORTING  
ROLE BY INDIVIDUALS DASH GROUPS IN CONNECTION WITH PILGRIMAGE  
TO HARRISBURG.

NO ATTEMPT WAS MADE TO PRETEXT [REDACTED] CONTACT AT  
PACIFIC LUTHERAN THEOLOGICAL SEMINARY, IN VIEW OF THE POSSIBILITY  
OF COMPROMISING WASHINGTON FIELD'S SOURCE.

NO FURTHER INVESTIGATION CONTEMPLATED IN THIS ASPECT OF  
INVESTIGATION IN ABSENCE OF FURTHER INSTRUCTIONS.

END

FBI WA RDR

54 APR 12 1972

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ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA/jir

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____ b6
Mr. Bates	_____ b7C
Mr. Waikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Shadoff  
L. J. Smith

9A

**TREAT AS ORIGINAL**

FBI

Date: 4/4/72

Transmit the following in \_\_\_\_\_

PLAIN TEXT

(Type in plaintext or code)

Via \_\_\_\_\_

TELETYPE

URGENT

(Priority)

Mr. Tolson	✓
Mr. Felt	✓
Mr. Campbell	✓
Mr. Rosen	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Miller	✓
Mr. Callahan	✓
Mr. Casper	✓
Mr. Conrad	✓
Mr. Dalbey	✓
Mr. Cleveland	✓
Mr. Ponder	✓
Mr. Bates	✓
Mr. Waikart	✓
Mr. Walters	✓
Mr. Soyars	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

TO DIRECTOR (100-460495) ATTN: DOMINTEL

FROM PHILADELPHIA (100-51190)(P) HARRISBURG TRIAL OFFICE

EASTCON

ALL INFORMATION CONTAINED

JURY RESUMED DELIBERATIONS AT 9 AM THIS DATE

AT APPROXIMATELY ELEVEN AM CHIEF COUNSEL WILLIAM S. LYNCH

WAS ADVISED THAT DEFENSE COUNSEL PAUL O'DWYER HAD REQUESTED A MEETING OF COUNSEL WITH U.S. DISTRICT COURT JUDGE R. DIXON HERMAN IN CHAMBERS. IT WAS THEREAFTER DETERMINED THAT JUDGE HERMAN SCHEDULED SUCH A MEETING FOR 2 PM IN CHAMBERS.

REC-21

100-460495-5535

ALSO AT APPROXIMATELY 11 AM DEFENSE COUNSEL FILED MOTION REQUESTING JUDGE HERMAN DISCHARGE JURY AS BEING HOPELESSLY DEADLOCKED ON NINE COUNTS OF INDICTMENT. LYNCH STATED HE BELIEVES JUDGE HERMAN HAS DECIDED TO RULE ON THIS MOTION AT 2 PM MEETING IN CHAMBERS.

LYNCH STATED HE WILL FIRST OPPOSE ANY CONTACT WITH JURY BY COURT OR DISCHARGE OF JURY UNTIL APR. 5, 1972. HE ADDED HE IS NOT HOPEFUL THAT HE CAN DELAY ACTION BY COURT WITH RESPECT TO THIS PROBLEM SINCE HE IS OF THE OPINION JUDGE HERMAN HAS ALREADY MADE UP HIS MIND TO CALL THE JURY IN THIS DATE.

8 APR 7 1972

IN CONNECTION THEREWITH LYNCH STATED THE JURY IS EITHER "HUNG" OR IS STILL DELIBERATING AND SINCE THERE IS NO REASON TO

GJM/JJM

(1)

Approved: *Jameson*

Special Agent in Charge

70 APR 12 1972

**TREAT AS ORIGINAL**

DATE 7-15-80 BY SP-5

U.S. GOVERNMENT PRINTING OFFICE: 1964-413-123

PAGE TWO

BELIEVE THE LATTER IS NOT TRUE HE WILL VIGOROUSLY OPPOSE MOTION OF DEFENSE. HE ALSO STATED HE HAS LEARNED JUDGE HERMAN INTENDS TO CALL JURY AFTER MEETING IN CHAMBERS AND INQUIRE WHETHER FURTHER DELIBERATIONS WOULD BE OF VALUE OR WHETHER THEY SHOULD BE DISCHARGED.

IN CONNECTION WITH SUCH AN EVENTUALITY, LYNCH STATED HE HAS PREPARED A MEMORANDUM AND RECOMMENDED CHARGES BY JUDGE HERMAN WHICH HE WILL PRESENT AT IN CHAMBERS MEETING. THE MEMORANDUM ATTEMPTS TO ESTABLISH THROUGH NOTES FROM JURY THAT THEY ARE NOW DELIBERATING, NOT HOPELESSLY DEADLOCKED AS ALLEGED BY DEFENSE COUNSEL.

THE RECOMMENDED CHARGE TO THE JURY INQUIRES OF JURY WHETHER PROGRESS IS BEING MADE BEFORE INQUIRING OF THE JURY WHETHER FURTHER DELIBERATIONS WOULD BE OF VALUE.

END

**"TREAT AS ORIGINAL"**

Date: 4/5/72

Transmit the following in PLAIN TEXT  
(Type in plaintext or code)Via TELETYPE URGENT  
(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Waikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO DIRECTOR (100-460495) ATTN: DOMINTEL  
 FROM PHILADELPHIA (100-51190)(P) HARRISBURG TRIAL OFFICE  
 EASTCON

JURY BEGAN DELIBERATIONS 9 AM THIS DATE. AT 12 NOON U.S.  
 DISTRICT COURT JUDGE R. DIXON HERMAN CALLED GOVERNMENT AND DEFENSE  
 COUNSEL FOR MEETING IN CHAMBERS.

AT THIS MEETING JUDGE HERMAN ADVISED NOTE WAS RECEIVED  
 FROM JURY WHICH STATED THAT ANSWER WAS NEEDED TO FOLLOWING QUESTION  
 BY A JUROR BEFORE THEY COULD COMPLETE DELIBERATIONS. THE QUESTION  
 INQUIRED WHETHER OR NOT JURY COULD FIND DEFENDANTS GUILTY OF COUNT  
 I IN INDICTMENT (CONSPIRACY) IF THEY FOUND THEY HAD CONSPIRED TO  
 VIOLATE OBJECTIVES a, b, c AND f LISTED IN THAT COUNT BUT DID NOT  
 FIND THEY HAD CONSPIRED TO VIOLATE SECTIONS d AND e, ALSO ENUMERATED  
 THEREIN.

EX-100

SESSION WAS INTERRUPTED TO ALLOW COUNSEL TO PROVIDE  
 JUDGE HERMAN WITH RECOMMENDED INSTRUCTIONS TO JURY ON THIS QUESTION.  
 GOVERNMENT RECOMMENDED FOLLOWING INSTRUCTION: 9 APR 7 1972

"YOU MAY FIND A DEFENDANT GUILTY ON COUNT I IF YOU FIND  
 BEYOND A REASONABLE DOUBT THAT HE CONSPIRED TO COMMIT a b c AND f  
 EVEN THOUGH YOU DO NOT FIND BEYOND A REASONABLE DOUBT THAT ANY

GHM/JJM  
(1)

Approved: \_\_\_\_\_

Special Agent in Charge

57 APR - 1972

**"TREAT AS ORIGINAL"**

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-15-80 BY SP-5536  
 U.S. GOVERNMENT PRINTING OFFICE: 1972

PAGE TWO

DEFENDANT CONSPIRED TO COMMIT d AND e IN COUNT I."

THEREAFTER, JUDGE HERMAN ADVISED COUNSEL HE EXPECTED TO UTILIZE AN INSTRUCTION TO JURY SUBSTANTIALLY THAT RECOMMENDED BY GOVERNMENT COUNSEL.

DEFENSE COUNSEL INDICATED THEY PLAN TO ARGUE AGAINST SUCH INSTRUCTION BEING GIVEN AND PLAN TO SEARCH FOR APPROPRIATE CASE PRECEDENT. JUDGE HERMAN ADVISED HE WOULD CONVENE COURT FOR PURPOSE OF INSTRUCTING JURY AT 1:30 PM.

## Domestic Intelligence Division

## INFORMATIVE NOTE

Date 4/4/72

EASTCON jury resumed deliberation  
9 a.m., 4/4/72.

During morning, defense counsel Paul O'Dwyer requested meeting of counsel with Judge R. Dixon Herman in chambers, which was scheduled for 2 p.m. Defense also filed motion requesting Judge discharge jury as hopelessly deadlocked on nine counts of indictment.

Chief prosecutor W.S. Lynch believes Judge will rule on motion at 2 p.m. meeting. Lynch will oppose any contact with jury by court or discharge of jury until 4/5/72. He is not hopeful of delaying action by court as he is of opinion Judge's mind made up to call jury 4/4/72. Lynch also feels jury is still deliberating and will vigorously oppose defense motion. He also intends to recommend Judge inquire of jury whether or not progress is being made rather than inquiring if further deliberations would be of value.

FBG:djr/csh

ADDENDUM: - Harrisburg trial office advised 2:55 p.m. that Judge denied defense motion, and will call jury in at 3:30 p.m. to determine if progress is being made.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-6 J. J. [signature]

**TREAT AS ORIGINAL**

FBI

Date: 4/5/72

Transmit the following in

PLAIN TEXT

(Type in plaintext or code)

Via

TELETYPE

URGENT

(Priority)

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Wickart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO

DIRECTOR (100-460495) ATTN: DOMINTEL

FROM

PHILADELPHIA (100-51190)(P) HARRISBURG TRIAL OFFICE

EASTCON

AT 1:55 PM U.S. DISTRICT COURT JUDGE R. DIXON HERMAN CONVENED COURT WITHOUT JURY. DEFENSE COUNSEL J. THOMAS MENAKER INDICATED THAT PRIOR TO OPENING OF COURT HE HAD FILED WRITTEN MOTION OPPOSING JUDGE HERMAN'S DETERMINATION TO INSTRUCT JURY IN RESPONSE TO THEIR QUESTION ON COUNT I. JUDGE HERMAN ACKNOWLEDGED HE HAD READ MOTION AND DEFENSE COUNSEL WERE FREE TO ARGUE IT. MENAKER ARGUED THAT INSTRUCTION PROPOSED BY JUDGE RELIES ON CASES WHEREIN CONSPIRACIES HAD A "SINGLE OBJECTIVE" WHEREAS IN THIS CASE THERE WERE "MULTIPLE OBJECTIVES" WHICH INCLUDED CHARGES THAT DEFENDANTS VIOLATED NUMEROUS UNRELATED STATUTES. JUDGE STATED HE WAS FAMILIAR WITH CASES PRESENTED BY MENAKER AND DID NOT BELIEVE THAT EITHER THE FACTS OR LAW WERE APPROPRIATE AS TO THIS CASE.

8 APR 7 1972

DEFENSE COUNSEL LEONARD BOUDIN ARGUED THAT THE QUESTION PROPOSED BY THE JURY CONCERNING COUNT I WAS INDICATIVE THAT THEY HAD FOUND "MULTIPLE CONSPIRACIES" WHICH WERE PREVIOUSLY ALLEGED BY DEFENSE IN VARIOUS MOTIONS TO DISMISS. JUDGE HERMAN IGNORED BOUDIN'S COMMENTS AND DEFENSE COUNSEL TERENCE LENZNER OFFERED ARGUMENT THAT

GHM/JJM

(1)

Approved: *[Signature]*

Special Agent in Charge

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DATE 7-15-80 BY SP-5 [Signature]

U.S. GOVERNMENT PRINTING OFFICE: 1971-413-133



PAGE TWO

SINCE OBJECTIVES a b c OF COUNT I ARE MUCH DIFFERENT CRIMES (DRAFT BOARD VIOLATIONS) AND LESS SEVERE THAN CHARGES IN OBJECTIVE f (KIDNAPING), THE DEFENDANTS RIGHTS ARE BEING PREJUDICED. THIS TOO WAS IGNORED BY JUDGE HERMAN WHO CALLED JURY AT 2:02 PM.

JUDGE HERMAN ADVISED JURY HE WOULD NOT ANSWER THEIR QUESTION WITH A YES OR NO ANSWER BUT WOULD READ TO THEM AN INSTRUCTION WHICH HE BELIEVES ANSWERS THEIR QUESTION. JUDGE HERMAN READ TO THE JURY AN INSTRUCTION WHICH CONTAINED THE IDENTICAL POINTS SET FORTH IN THE PROPOSED INSTRUCTION BY GOVERNMENT COUNSEL WHICH WAS: "YOU MAY FIND A DEFENDANT GUILTY ON COUNT I IF YOU FIND BEYOND A REASONABLE DOUBT THAT HE CONSPIRED TO COMMIT a b c and f EVEN THOUGH YOU DO NOT FIND BEYOND A REASONABLE DOUBT THAT ANY DEFENDANT CONSPIRED TO COMMIT d AND e IN COUNT I."

AFTER READING THE INSTRUCTION JUDGE HERMAN ASKED THE FOREMAN, [REDACTED], IF THIS SATISFIED THE REQUEST IN THE JURY'S NOTE. [REDACTED] REQUESTED JUDGE HERMAN TO REREAD THE INSTRUCTION FOR THE JURY WHICH WAS DONE. AFTER THE SECOND READING, [REDACTED] ADVISED THAT THIS ANSWERED THEIR QUESTION. JUDGE HERMAN/ORDERED THE JURY TO RETIRE AT 2:07 PM TO CONTINUE DELIBERATIONS.

THEREAFTER JUDGE HERMAN CALLED ALTERNATE JURORS WHO HAVE BEEN CONTINUED TO BE SEQUESTERED SINCE JURY BEGAN DELIBERATIONS MAR.

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PAGE THREE

30, 1972. HE ADVISED THEM THAT SINCE IT WOULD NO LONGER BE POSSIBLE TO UTILIZE THEM, EVEN IF A JUROR BECAME INCAPACITATED AT THIS POINT, HE THANKED THEM FOR THEIR PUBLIC SERVICE AND DISCHARGED THEM RECESSING COURT AT 2:09 PM.

END

## Domestic-Intelligence Division

## INFORMATIVE NOTE

Date 4/5/72

Eastcon jury began deliberation at 9:00 a.m., 4/5/72.

At 12 Noon Judge R. Dixon Herman advised counsel he had received note from jury which said a juror wanted to know if jury could find defendants guilty of Count I of indictment (conspiracy) if it were found they had conspired to violate four, but not two of six statutes listed in Count I. Answer necessary to complete deliberations.

Government recommended jury be advised defendants could be found guilty if he conspired to commit violation of four statutes even though he did not conspire to commit violation of two other statutes. Judge Herman advised he expected to utilize answer substantially as recommended by Government. Defense to argue against such instruction to jury which was to be called into courtroom at 1:30 p.m.

FBG:djr

7/6 RLS EM/DEM

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DATE 7-15-80 BY SP-5 RBN/HA

3/6/72

AIRTEL

AIR MAIL

TO: DIRECTOR, FBI (100- )  
(100-460495)

FROM: SAC, SPRINGFIELD (100-13294) (P)  
(100-13290)

SUBJECT: JAMES M. SHORTAL  
SM - NEW LEFT (VVAW)  
SI 100-13294

EASTCON

SI 100-13290  
BUFILE 100-460495

Enclosed for the Bureau are four copies and for Philadelphia four copies of an article entitled "Why I'm Going to Harrisburg". This article appears in a leaflet entitled "Z-Ho Lives" in its issue of February, 1972, Volume II, Number 5. The leaflet is published monthly except July and August by the United Campus Ministry of Edwardsville, Illinois, and is distributed by the Religious Center at Southern Illinois University, Edwardsville (SIU-E), Box 59, Edwardsville, Illinois.

Among the contributing editors appear the names Father JIM SHORTAL and Rev. JOE SANTEE. The above mentioned article bears no signatures other than the handprinted initials J.S. It is, therefore, not possible at this point to determine whether the J.S. refers to Father JAMES M. SHORTAL or Rev. JOE SANTEE, however, Springfield currently is conducting

4-Bureau (2: 100- ) (Enc. 2) (RM)  
(2: 100-460495) (EASTCON) (Enc. 2) (RM)  
4-Philadelphia (2: 100- ) (Enc. 2) (RM)  
(2: 100-51190) (Enc. 2) (RM)  
5-Springfield (2: 100-13294)  
(2: 100-13290)  
(1: [REDACTED])

THE/mab  
(13)

100-460495-  
NOT RECORDED  
25 APR 10 1972  
HEREIN IS UNCLASSIFIED  
DATE 7-15-8 BY SP-5

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58 APR 19 1972

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ORIGINAL FILED IN

100-460495-1

SI 100-13294  
SI 100-13290

investigation to obtain background data on Father JAMES M. SHORTAL (Springfield file 100-13294) based upon his identification as the owner of an automobile, the license number of which was noted by Illinois State Police, Springfield, Illinois, during coverage of a Thanksgiving Fast sponsored by the VVAW, 11/25/71 at the State Capitol, Springfield, Illinois. In this respect the number observed was Illinois 1971 license number DW 9288 and was issued for a 1968 Chevrolet four-door sedan registered to JAMES M. SHORTAL, a description of whom from the Driver's License Section of the Illinois Department of Motor Vehicles is as follows:

Sex	Male
Height	6'
Weight	200 pounds
Hair	Brown.
Eyes	Blue
Date of birth	6/21/31
Residence	306 West Park Street Edwardsville, Illinois
Date issued	July, 1971
Date of expiration	June, 1974
Illinois driver's license	#S634-4533-1176
Social Security Account No.	324-26-5074

The above publication was furnished on 2/29/72 by [redacted]. The original publication furnished by this source will be maintained in Springfield file [redacted]

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b7D

[redacted] SIU-E, advised that a source of his who has furnished reliable information in the past and who is a member of the VVAW, advised that Father JAMES SHORTAL is not a member of VVAW but is a religious counselor and acts as an advisor to the VVAW.

LEADS:

SPRINGFIELD DIVISION

Will continue investigation to determine identity of J.S., author of the above mentioned article "Why I'm Going to Harrisburg" and will attempt to obtain photograph of Father JAMES SHORTAL.

## WHY I'M GOING TO HARRISBURG

When Mary Scoblick and her husband, Tony, were arrested in January of last year, her first thought was "at the amount of repression leveled against you is the measure of your effectiveness."

Mary Scoblick is a member of the Harrisburg Seven, the group described earlier in this issue. Most publicity has centered on the other figures, notably Phil Berrigan and Liz McAlister. But Mary Scoblick's transition from seemingly quiet, innocuous Catholic nun to radical, anti-war activist engaging in civil disobedience is typical of what is happening in the radical Catholic Left today. Raised in a strictly traditional Catholic environment, Mary entered the Sisters of Notre Dame de Namur in 1959. Her teaching assignments took her into the ghetto where she and some friends chose to live in order to be near the people she was teaching. Like many others she began to relate urban misery to the Vietnam War. She began to question national priorities and to learn about the Catonsville Nine (Berrigans et al). In working for the defense committee of the Catonsville Nine, she became involved with other Catholic radicals. Among them was a priest, Tony Scoblick, with whom she fell in love and later married in June 1970.

Mary Scoblick's story is similar to that of hundreds of priests and nuns across the country who have gone from a helping involvement with the poor and the oppressed to radical opposition to government policies. Whether the issue be war and peace, civil rights, poverty or farm labor, increasing numbers of priests and nuns are becoming convinced that their Christianity impels them to work for a radical change in the direction of our country.

The Harrisburg Seven are a sort of spearhead of the radical Catholic Left at the moment. I feel a definite closeness and obligation to them. They are all my brothers and sisters in a very special way. We all started with the same tradition of faith, were educated in the same schools and shared the same kind of seminary or convent experience. What I have written about Mary Scoblick and the others applies also to myself. As a member of the radical Catholic Left, therefore, I want to reflect on and record my feelings as I prepare to depart for Harrisburg.

The transition has taken many agonizing years, but by now I am convinced that we are surrounded by institutions that contradict the spirit of the Gospel, institutions that hinder rather than promote human development and freedom. I am also convinced that I must do what I can to turn things around socially, politically and economically. I feel a burden of guilt for not doing enough in the past. My brothers and sisters in the Harrisburg Seven have given themselves totally and are suffering for it. The least I can do at this time is to give them my support. By a public show of support I may be able to raise the level of awareness of people who know me.

Many Catholics cannot understand how or why priests and nuns get involved in such incidents as draft file burnings, partially because they do not know the participants personally. The prosecuting attorney, William Lynch, a staunch Catholic, has said that he considers such priests and nuns "worse than criminals who make their money from gambling and drugs." He has probably never had the opportunity to discuss seriously the social implications of Christianity with a radical priest or nun whom they knew and respected. Hence, he and other "good Catholics" do not understand. It is my responsibility, along with the Harrisburg Seven, to witness the suffering and oppressed Jesus Christ, and to do it in the way that he did--non-violently. If this brings retaliation, then I must "be happy when people abuse me and persecute me and speak all kinds of calumny against me on Christ's account" because as Jesus said, "this is how they persecuted the prophets before you." Maybe Mary Scoblick is right--the amount of repression leveled against you is the measure of your effectiveness.

ENCLOSURE

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DATE 7-15-88 BY SP-5  
RWM/MS

100-460495 - J.S.

## Domestic Intelligence Division

## INFORMATIVE NOTE

Date 4/5/72

Judge R. Dixon Herman reconvened court 1:55 p.m. without Eastcon jury present. Various defense counsel argued against Judge's proposed instructions to jury in response to their question as to Count I of indictment. Judge either ruled against or ignored arguments.

At 2:02 p.m. jury called in and advised by Judge he could not answer question yes or no and then read them substantially same instruction recommended by prosecution: "You may find a defendant guilty on Count I if you find beyond a reasonable doubt that he conspired to commit a, b, c and f even though you do not find beyond a reasonable doubt that any defendant conspired to commit d and e in Count I." Letter designations pertain to specific statutes in conspiracy count of indictment. Foreman of jury acknowledged this answer satisfied question. Jury retired at 2:07 p.m. to continue deliberation.

Judge Herman then dismissed alternate jurors and recessed court at 2:09 p.m.

FBG:djr

7/6 RLS EMs

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DATE 7-15-80 BY SP-5 RJO/WR

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
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Mr. Bates	_____
Mr. Winkert	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR004 MP PLAIN

5:50 PM URGENT 3-28-72 TJT

TO DIRECTOR (100-460495) ATTENTION: DID  
PHILADELPHIA (100-51190)

WFO (100-52299 SUB E)

FROM MINNEAPOLIS (100-15431) 4P

PEASTCON

DEMONSTRATION OF CONSCIENCE AGAINST THE WAR IN VIETNAM, ST. PAUL,  
MINNESOTA, MARCH TWENTYNINE NEXT, INTERNAL SECURITY DASH VIDEM.

ON MARCH TWENTYSEVEN LAST, [REDACTED] MEMBER, ST. LUKE'S  
CATHOLIC CHURCH, LEXINGTON AND SUMMIT, ST. PAUL, MINNESOTA,  
ADVISED DURING AN ADULT RESPONSE PROGRAM HELD AT ST. LUKE'S ON  
MARCH TWENTY, LAST, THOMAS MCKENNA, ASSOCIATE PASTOR, ST. LUKE'S  
CHURCH, ANNOUNCED THAT ON MARCH TWENTYNINE, NEXT, THERE WOULD  
BE A "MARCH OF CONSCIENCE- AGAINST THE WAR IN VIETNAM AND IN  
SUPPORT OF THE HARRISBURG SEVEN. MCKENNA ANNOUNCED THE MARCH

END PAGE ONE

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10 APR 11 1972

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in white summary



MP 100-15431

PAGE TWO

WOULD COMMENCE TWELVE NOON FROM THE DAYTON AVENUE PRESBYTERIAN CHURCH, ST. PAUL, MINNESOTA, AND WOULD PROCEED DOWN DAYTON AVENUE TO THE FEDERAL BUILDING, ST. PAUL, MINNESTOA.

[REDACTED] ADVISED THAT THERE IS NO INDICATION MARCH WOULD BE OTHER THAN PEACEFUL AND THAT THE MARCH WAS BEING ORGANIZED BY AD HOC GROUP OF CHURCH PEOPLE.

b6  
b7c

THE MARCH TWENTYSEVEN LAST ISSUE OF "MINNEAPOLIS STAR," NEWSPAPER OF GENERAL CIRCULATION, MINNEAPOLIS, MINNESOTA, REPORTED THAT APPROXIMATELY THREE HUNDRED TWIN CITY AREA CLERGYMEN, NUNS AND SEMINARIANS WERE EXPECTED TO PARTICIPATE IN A WITNESS FOR PEACE MARCH, MARCH TWENTYNINE NEXT. THE PROGRAM WOULD BEGIN WITH A LITURGY AT NOON AT DAYTON AVENUE PRESBYTERIAN CHURCH, WHICH WOULD BE FOLLOWED BY A SLIDE SHOW ON THE VIETNAM WAR AND BY TEACHINGS ON WAR, TAX RESISTANCE, DISSENT, ORGANIZING CHURCH GROUPS FOR PEACE ACTION, MORAL ISSUES RAISED BY THE BERRIGAN ANTI WAR CONSPIRACY TRIAL AND

END PAGE TWO

MP 100-15431

PAGE THREE

STREET <sup>M</sup>MINISTRY SPEAKING. THE MARCH IS TO BEGIN AT THREE THIRTY  
PM AND PROCEED TO THE ST. PAUL FEDERAL BUILDING TO FORM A "WALL  
OF CONSCIENCE" AND A NEWLY SIGNED STATEMENT OF CONSCIENCE TO  
BE DELIVERED TO FEDERAL AUTHORITIES.

ON MARCH TWENTYEIGHT INSTANT, CAPTAIN JACK O'NEAL, ST.  
PAUL POLICE DEPARTMENT, ADVISED HIS OFFICE INFORMED OF MARCH  
BY A GROUP CALLING THEMSELVES "CONCERNED MINISTERS."

ST. PAUL POLICE DEPARTMENT, RAMSEY COUNTY SHERIFF'S OFFICE,  
AND GENERAL SERVICE ADMINISTRATION, ALL ST. PAUL, MINNESOTA;  
AND UNITED STATES MARSHAL'S OFFICE, MINNEAPOLIS, MINNESOTA,  
ALERTED.

THE FOLLOWING ALERTED AGENCIES ARE BEING FURNISHED COPIES  
OF THIS COMMUNICATION: UNITED STATES ATTORNEY'S OFFICE, UNITED  
STATES SECRET SERVICE, AND NAVAL INVESTIGATIVE SERVICE, ALL  
OF MINNEAPOLIS; AND OFFICE OF SPECIAL INVESTIGATIONS AND  
MILITARY INTELLIGENCE, BOTH OF ST. PAUL, MINNESOTA.  
END PAGE THREE

MP 100-15431

PAGE FOUR.

ADMINISTRATIVE:

WFO TELETYPE DATED MARCH SEVENTEEN, LAST, CAPTIONED  
"EASTCON (DEMONSTRATION)," AND WFO AIRTEL DATED MARCH TWENTY,  
LAST, DOUBLE CAPTIONED "EASTCON - DEMONSTRATIONS," AND

MINNEAPOLIS WILL FOLLOW AND SUTEL FURTHER DEVELOPMENTS.

NO LHM BEING SUBMITTED. NO INVESTIGATION BEING CONDUCTED  
RE CONCERNED MINISTERS.

PENDING.

b6  
b7C

END

TMT FBI SOG.

CLR

cc

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 1 1972

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	<input checked="" type="checkbox"/>
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Waikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Gandy	_____

NR008 PH CODE

1030 PM URGENT 4-1-72 DCC

TO DIRECTOR (100-460495)

ATTN DOMESTIC INTELLIGENCE - RESEARCH  
FROM PHILADELPHIA (100-51190) (P)

EASTCON - DEMONSTRATIONS

ON APRIL ONE, SEVENTYTWO, AN ANTI-WAR, ANTI-CORPORATION DEMONSTRATION COMMENCED AT APPROXIMATELY ONE TEN PM ON SEVENTEENTH ST., HARRISBURG, PA., AND PROCEEDED IN A MARCH LED BY BELLA ABZUG, U.S. CONGRESSWOMAN FROM NEW YORK CITY, WILLIAM KUNSTLER, DANIEL ELLSBERG, THEODORE GLICK (SEVERED HARRISBURG SEVEN DEFENDANT, PAUL MAYER (UNINDICTED CO-CONSPIRATOR), RUBY DEE (ACTRESS) AND MAYOR HAROLD SWENSON OF HARRISBURG, MARCH INCLUDED APPROXIMATELY FOUR THOUSAND DEMONSTRATORS WHO PROCEEDED ACROSS STATE STREET BRIDGE TO PARKING LOT BEHIND PENNSYLVANIA STATE CAPITOL. DEMONSTRATORS CARRIED SIGNS READING "LIFE VERSUS DEATH," "THREE HUNDRED DIE IN AIR WAR EACH DAY IN VIETNAM" AND WOULD YOU WANT BOYD DOUGLAS AS A MAIL MAN? SOME WERE DRESSED IN

VARIOUS COSTUMES TO SIMULATE DEATH AND LIFE. A GROUP CALLED THE  
END PAGE ONE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 KOB/ML

12/13/89

SP1AC80  
291724

58 APR 2 1972  
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2 Xerox CF/gw  
9040  
Trans  
as yellow  
memo written  
R.H.H.

PAGE TWO

RED PUPPET THEATRE HAD VARIOUS LARGE PLASTER AND PAPER HEADS, SOME  
REPRESENTING UNCLE SAM, J. EDGAR HOOVER, THE DEVIL AND A MONSTER  
FIGURE WHICH REPRESENTED CORPORATIONS EATING LITTLE PEOPLE. THIS  
THEATRE CONTINUED ALONG PARADE ROUTE WITH UNCLE SAM FIGURE, HOOVER  
FIGURE AND DEVIL FIGURE TAKING TURNS CHASING LITTLE PEOPLE. VARIOUS  
GROUPS WERE REPRESENTED BY INDIVIDUALS CARRYING BANNERS:

COMMUNIST PARTY OF PENNSYLVANIA ✓

YOUNG WORKERS LIBERATION LEAGUE ✓

NEW HAVEN COMMITTEE TO FREE ANGELA DAVIS

WOMEN STRIKE FOR PEACE

STUDENT MOBILIZATION COMMITTEE

FEDERAL EMPLOYEES AGAINST THE WAR ✓

ABRAHAM LINCOLN BRIGADE ✓

SISTER POWER

HARRISBURG DEFENSE COMMITTEE

VIETNAM VETERANS AGAINST THE WAR (VVAW)

GAY LIBERATION FRONT.

SOME MEMBERS OF THE VVAW CARRIED FLAGS OF THE CHINESE  
PEOPLES REPUBLIC, NORTH VIETNAM AND THE VIET CONG.

END PAGE TWO

PAGE THREE

UPON ARRIVAL AT THE CAPITOL, PAUL MAYER, ACTED AS MODERATOR AND FIRST INTRODUCED CONGRESSWOMAN BELLA ABZUG. SHE STATED THAT SHE STANDS WITH THE HARRISBURG SEVEN AND BELIEVES THAT WE SHOULD GET RID OF J. EDGAR HOOVER. SHE WENT ON TO SPEAK ON CIVIL RIGHTS, AMNESTY FOR ALL POLITICAL PRISONERS AND LEFT IMMEDIATELY AFTER HER TALK TO CATCH AN OUTGOING FLIGHT.

RUBY DEE THEN INTRODUCED ~~FANIA~~<sup>PA</sup> JORDAN, SISTER OF ANGELA DAVIS, WHO SPOKE BRIEFLY ON THE GRANDEUR OF THE COMMUNIST PARTY, DISMISSING THE ANGELA DAVIS INDICTMENT AND EMPHASIZED ANTI-CORPORATION ACTIVITIES.

DANIEL ELLSBERG SPOKE IN SUPPORT OF THE BERRIGANS AND RIDICULED THE FBI FOR THEIR CONDUCT DURING THE PERIOD OF TIME THAT BERRIGAN WAS IN A FUGITIVE STATUS. HE STATED THE FIRST AMENDMENT WAS ON TRIAL, NOT THE BERRIGANS.

REV. RALPH ABERNATHY, SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE, SPOKE BRIEFLY, STATING THAT THE COUNTRY MUST GET RID OF NIXON AND AGNEW AND HAVE A COMPLETE CHANGE OF

END PAGE THREE

PAGE FOUR

GOVERNMENT THIS ELECTION. HE ALSO RIDICULED THE FBI FOR NOT  
CAPTURING THE KILLER CONSPIRATORS OF MARTIN LUTHER KING. HE  
STATED THAT THE COUNTRY SHOULD REMOVE J. EDGAR HOOVER BECAUSE  
HE IS NOT FINDING THE BIG DRUG PUSHERS BUT ONLY GOING AFTER THE  
LITTLE MEN.

DANIEL BERRIGAN THEN READ A LETTER FROM HIS BROTHER,  
PHILIP, IN REGARD TO PEACE, TURNING THE TRIAL AROUND AND URGING  
THE GOVERNMENT TO "UNINDICT" THE HARRISBURG SEVEN. HE COMPARED  
BOYD DOUGLAS TO JUDAS AND THE HARRISBURG SEVEN TO JESUS CHRIST.  
THE MODERATOR THEN ASKED FOR A COLLECTION TO BE TAKEN TO COVER  
THE COST OF THE DEMONSTRATION AND STATED THAT ANY MONEY LEFT OVER  
WOULD BE TURNED OVER TO ANGELA DAVIS AND THE HARRISBURG SEVEN.  
AT THIS TIME APPROXIMATELY FOUR HUNDRED PEOPLE LEFT.

VARIOUS FOLK SINGERS ENTERTAINED WHILE COLLECTION  
WAS BEING TAKEN.

PAUL MAYER ALSO ADVISED THAT MADAME BINH, NORTH  
VIETNAMESE DELEGATION AT PARIS, WOULD CALL BY PHONE AND SPEAK  
TO THE GROUP.

PAGE FOUR

PAGE FIVE

MAYER READ A STATEMENT FROM THE PEOPLE'S COMMISSION TO DEMILITARIZE INDUSTRY WHICH CLAIMED RESPONSIBILITY FOR THE SABOTAGE TO BOMBS AT THE YORK, PA., AMERICAN MACHINE AND FOUNDRY CO. PLANT. HE READ A LIST OF NAMES VERY QUICKLY AND INCLUDED HIMSELF AT THE END AS AMONG THOSE RESPONSIBLE. HE THEN REQUESTED AS MANY INDIVIDUALS AS POSSIBLE TO SIGN THIS STATEMENT CLAIMING RESPONSIBILITY AND MOVED THROUGH THE CROWD OBTAINING SIGNATURES. MAYER THEN ANNOUNCED THAT ALL WHO COULD SHOULD GO TO PROTEST A SPEECH BY MELVIN LAIRD, SECRETARY OF DEFENSE, ON APRIL SEVEN, LOCATION TO BE ANNOUNCED. HE URGED PROTESTORS TO GO TO YALE UNIVERSITY ON APR. FOUR TO PROTEST A SPEECH BY GEN. WILLIAM WESTMORELAND.

WILLIAM KUNSTLER THEN READ POETRY FROM DANIEL BERRIGAN'S BOOK AND FROM A NEW VIETNAM POETRY BOOK AND STATED THAT THE BERRIGAN VIEW COINCIDES WITH HIS.

THE NEXT SPEAKER WAS ~~NGO VINH LONG~~ <sup>PA Vietnam MASS</sup>, VIETNAMESE STUDENT HARVARD UNIVERSITY. HE SPOKE ON THE ATROCITIES AND TORTURES IN THE VIETNAM WAR. HE STATED THAT HE AND A GROUP OF INDIVIDUALS WOULD

END PAGE FIVE



PAGE SIX

TAKE OVER A HALL AT SOUTHERN ILLINOIS UNIVERSITY ON APR. TWENTY SEVEN, SEVENTYTWO, IN PROTEST AGAINST THE WAR.

AT APPROXIMATELY FOUR FIFTEEN PM THE TRANSATLANTIC PHONE CALL CAME IN FROM PARIS AND WAS PATCHED THROUGH TO THE PUBLIC ADDRESS SYSTEM. MADAME BINH AND AN UNIDENTIFIED MALE SPOKE IN BROKEN ENGLISH ON THE EXCHANGE OF PRISONERS OF WAR AND NIXON'S POLICIES.

ANNOUNCEMENTS WERE THEN MADE TO THE PROTESTORS THAT THEY SHOULD ATTEND THE ITT STOCKHOLDERS MEETING IN BOSTON, DATE NOT GIVEN.

ALSO ANNOUNCED AS SCHEDULED WAS A PROTEST AT THE ARMY RESEARCH CENTER, MADISON, WISCONSIN, MAY FIFTEEN, SEVENTYTWO, AND PLANNED DEMONSTRATIONS BY PERSONNEL OF THE ARMED FORCES ON ARMED FORCES DAY MAY TWENTY, NINETEEN SEVENTYTWO. PA

NEXT SPEAKER WAS BEULAH SANDERS, NATIONAL WELFARE RIGHTS ORGANIZATION LEADER, WHO SPOKE ON RACISM, POVERTY AND ENDING THE WAR.

Vietnam Veterans Against the War member JOE BANGERT, VVAW OF PENNSYLVANIA, SPOKE IN REGARD TO ANGELA DAVIS, PURCHASING WEAPONS TO KILL PEOPLE AND THE AMERICAN GOVERNMENT PURCHASING WEAPONS TO KILL PEOPLE IN VIETNAM.

END PAGE SIX

PAGE SEVEN

ELIZABETH MC ALISTER, HARRISBURG SEVEN DEFENDENT, SPOKE  
VERY BRIEFLY ON RELIGION, PEACE AND LOVE AND MENTIONED VERY LITTLE  
ABOUT THE TRIAL.

*PA*  
RICHARD ~~W~~HAYDEN, ~~AFL-CIO~~ OFFICIAL, FARM WORKERS UNION,  
READ A MESSAGE FROM CAESAR ~~V~~CHAVEZ REPRESENTING A STATEMENT IN  
REGARD TO THE UNION'S OPPOSITION TO THE *No Loc* REPUBLICAN PARTY'S  
STAND ON FARM WORKERS AND OTHER UNION POLICIES.

AN UNKNOWN MALE THEN SPOKE, REPRESENTING THE GAY  
LIBERATION FRONT OF WASHINGTON, D.C. THIS INDIVIDUAL WAS VERY  
UPSET BECAUSE HIS ORGANIZATION WAS LAST AND STATED THAT THE  
GAY PEOPLE SHOULD BECOME MORE BOLD AND AGGRESSIVE AND THAT WE  
SHOULD HAVE MORE PEOPLE LIKE THE BERRIGANS.

DEMONSTRATION CONCLUDED AT ABOUT FIVE FORTY FIVE PM AND ANNOUNCE-  
MENTS MADE FOR ALL TO ATTEND SUNRISE SERVICE, CITY ISLAND, HARRISBURG,  
SIX AM, APRIL TWO, NINETEEN SEVENTYTWO.

ADMINISTRATIVE: INFO IN THIS TEL OF INTEREST TO OTHER OFFICES BEING  
FURNISHED THEM BY SEPARATE COMMUNICATION.

END

HOLD

MRF-FBI WA-DC

FEDERAL BUREAU OF INVESTIGATION  
~~CONFIDENTIAL~~

NR014 MI CODE

MAR 30 1972

9:36PM URGENT 3/30/72 RRN

TELETYPE

TO DIRECTOR (100-460495) ATTN: DID

PHILADELPHIA (100-51190)

FROM MILWAUKEE (100-17584)

Mr. Tolson	
Mr. Felt	b6
Mr. Campbell	b7C
Mr. Rosen	
Mr. Mohr	
Mr. Bishop	
Mr. Miller	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Ponder	
Mr. Bates	
Mr. Walkart	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

EASTCON - DEMONSTRATIONS. CLASS. & EXT. BY  
REASON = FCIM 11, 1-2.4.2  
DATE OF REVIEW 7-15-80

A SOURCE WHO HAS PROVIDED RELIABLE INFORMATION IN PAST

ADVISED INSTANT DATE

PA.

WIS.

b6  
b7C  
b7D

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF  
DATE

100-460495-5540

2(U) APR 11 1972

~~CONFIDENTIAL~~

END PAGE ONE

57 APR 1972

Adm. data deleted

5/ccl

PAGE TWO

~~CONFIDENTIAL~~

SOURCE FURTHER ADVISED [REDACTED]

(S) (u)

b6  
b7C  
b7D

(S) (u)

(S) (u)

PEOPLE'S COALITION FOR PEACE AND JUSTICE - A GROUP OF OVER  
ONE HUNDRED ORGANIZATIONS WHICH ARE USING MASSIVE CIVIL DISOBEDIENCE  
TO COMBAT RACISM, POVERTY, REPRESSION AND WAR. GROUP HEADQUARTERES  
IN WASHINGTON, D. C.

ADMINISTRATIVE

MILWAUKEE FOLLOWING CLOSELY. BUREAU AND PHILADELPHIA TO  
BE ADVISED OF ALL DEVELOPMENTS.

REMYTEL MARCH TWENTYEIGHT LAST.

SOURCE IS [REDACTED]

(S) (u)

b2  
b7D

E N D

HOLD HAVE TRF CALL ON ANOTHER LINE

SVC FBI WASH DC CLR

cc - [REDACTED] + Strachford

b6  
b7C

~~CONFIDENTIAL~~

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop  
1 - Mr. C. W. Bates  
1 - Mr. E. S. Miller  
4/10/72

Mr. E. S. Miller

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith  
1 - Mr. T. J. McNiff

R. L. Shackelford

UNSUBS;

Damage to Approximately 313 Bomb Casings, MK 82, A.M.F. Inc., York, Pennsylvania, 3/26/72

SABOTAGE; DESTRUCTION OF GOVERNMENT PROPERTY

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP 3 M/K

PURPOSE:

To recommend that Philadelphia Office be authorized to interview three individuals located by A.M.F. security personnel at crime scene, all three individuals having association with Harrisburg Defense Committee and/or local news media.

DETAILS:

American Machine and Foundry (A.M.F.) security personnel at 1:30 a.m., 3/27/72, observed four individuals in the vicinity of a boxcar containing bomb casings for 500 pound bombs, which casings had been manufactured by A.M.F. Three of these individuals were detained and identified while fourth individual, who may have been photographing the interior of the boxcar, escaped identification. Upon examination, 313 bomb casings inside the boxcar were found to be splashed with red paint and threads to casings damaged. No tools or paint materials were located at the scene.

b6  
b7C

The above three individuals were identified as [redacted] Harrisburg Independent Press; [redacted] of the Harrisburg Defense Committee; and [redacted] United Church Press, all from Pennsylvania. One of these individuals carried a press release dated 3/26/72, encouraging members of the press to visit the scene of the crime prior to discovery by officials, and the group claiming responsibility identified itself therein as the "Citizens Committee to Demilitarize Industry." In a subsequent press release, this group, referring to itself as "Citizens Commission to Demilitarize Industry," claimed association with the "Citizens Commission to Investigate the FBI," which group had previously claimed responsibility for the Mediarbreak-in.

Enclosure

TJM:cae

(10)

100-460495-38

1-52-94529

5 APR 13 1972

NOT RECORDED

168 APR 12 1972 OVER

Memorandum to Mr. E. S. Miller  
Re: Unsubs; Damage to Approximately 313 Bomb  
Casings, MK 82, A.M.F. Inc., York,  
Pennsylvania, 3/26/72

b6  
b7c

[REDACTED]

No information concerning [REDACTED] is known other than her association with the Harrisburg Defense Committee. Bureau file 77-113914 indicates that one [REDACTED] born [REDACTED] [REDACTED]

No information concerning [REDACTED] is known other than her association with the United Church Press. Bureau files contain no derogatory information concerning this publication other than two letters received in 1964 and 1972 from private citizens making inquiries concerning this publication, as the contents thereof appeared un-American.

It can be expected that when these individuals are contacted, some reference will be made to the Bureau in an unfavorable light, either in the publications they represent or by the Harrisburg Defense Committee claiming harassment. It is felt, however, that to conduct a logical, effective investigation designed to bring captioned matter to a speedy resolution, every investigative avenue must be fully pursued to its logical conclusion. In this regard, the above three individuals should be interviewed for all information in their possession concerning captioned matter, including the manner in which they received the press release of 3/26/72, and for the identity of the fourth individual who escaped unidentified.

Additionally, it is being suggested to Philadelphia that the interviews of [REDACTED] and [REDACTED] take place before the interview of [REDACTED] as it is felt the latter is more experienced in the movement and is less likely to cooperate. Should [REDACTED] be contacted first, he would undoubtedly contact the others offering guidance and counseling.

Memorandum to Mr. E. S. Miller  
Re: Unsubs; Damage to Approximately 313 Bomb  
Casings, MK 82, A.M.F. Inc., York,  
Pennsylvania, 3/26/72

There is attached an airtel instructing Philadelphia  
to interview [ ] and [ ] in accordance with  
the above.

b6  
b7C

RECOMMENDATION:

That the attached airtel be approved and sent.

DECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE  
DATE 01-07-2011

FBI

Date: 4/5/72

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIR MAIL

APPROPRIATE AGENCIES

AND FIELD OFFICES

ADVISED BY ROUTING

SLIP(S) OF

DATE

7-22-80 9.03

~~CONFIDENTIAL~~

EM 11 221

TO: DIRECTOR, FBI (100-460495)  
ATTN: DID

FROM: SAC, ATLANTA (105-4415) (P)

SUBJECT: EASTCON  
(DEMONSTRATION)

CLASS. &amp; EXT. BY SP-1 [signature]

REASON - F

DATE OF REVIEW 4-5-89

Re Atlanta nitel, 3/23/72.

[redacted] did not attend Service for Peace  
scheduled to be held 3/29/72, referred to in referenced  
nitel. This informant [redacted]

[redacted]  
[redacted] (u)

No other Atlanta sources attended and no  
publicity afforded Service.

[redacted] determined on 4/4/72, [redacted]  
[redacted] this Service for Peace was held as scheduled and  
was apparently the only action in Atlanta regarding Harrisburg  
Seven trial. (u)

REC:

- 2 - Director
- 2 - Philadelphia (100-51190)
- 2 - WFO (100-52299E)
- 3 - Atlanta (2-105-4415)

TFL/jlb  
(9)

(1- [redacted])

(u)

8 APR 8 1972

b2  
b7D

54 APR 14 1972  
Special Agent in Charge

~~CONFIDENTIAL~~

Sent

M

Per



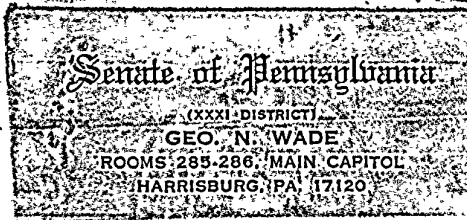
DO-6  
OFFICE OF DIRECTOR  
FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

March 30, 1972

The attached clipping from The  
Gettysburg Times, March 24,  
1972, was sent to the Bureau from  
State Senator George N. Wade,  
Rooms 285-286, Main Capitol,  
Harrisburg, Pennsylvania 17120.

CORRESPONDENCE

11 MAR 30 72



MR. TOLSON  
MR. FELT  
MR. CAMPBELL  
MR. ROSEN  
MR. MOHR  
MR. BISHOP  
MR. MURPHY  
MR. CALLAHAN  
MR. CASPER  
MR. CONRAD  
MR. DALBEY  
MR. CLEVELAND  
MR. PONDER  
MR. BATES  
MR. WALKART  
MR. WALTERS  
MR. SOYARS  
MR. JONES  
TELE. ROOM  
MISS HOLMES  
MRS. METCALF  
MISS GANDY

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-5

CLASS. & EXT. BY SP-5  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 2-30-92

ENCLOSURE

THE GETTYSBURG TIMES, FRIDAY, MARCH 24, 1972

### Dr. Reeves Doesn't Like United States

Among the Harrisburg 7 sympathizers here today were a group of 20, from Washington who attended a meeting Thursday night at Hood College and had breakfast this morning at Mount Saint Mary's College.

At the Hood meeting, Dr. Thomas Reeves, a teacher at Mount Saint Mary's, called the United States the "number one enemy of the people all over the world," and said: "It is my life's work — to work against the U.S. Government."

SENATE OF PENNSYLVANIA



GEO. N. WADE

ENCLOSURE

100-462775-5542

April 4, 1972

b6  
b7c

*See clodup*

Honorable George N. Wade SENATOR  
Senate of Pennsylvania  
Rooms 285 - 286  
Main Capitol  
Harrisburg, Pennsylvania 17120

My dear Senator:

I received the newsclipping from "The Gettysburg

Times" on March 30th and thank you for making it available to me.

Your thoughtfulness is indeed appreciated.

Sincerely yours,

J. Edgar Hoover

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RAB/1/2

1 - Philadelphia - Enclosure

*Rec'd*

NOTE: Senator Wade is not identifiable in Bufiles. [redacted] is well-known to the Bureau relative to the East Coast Conspiracy.

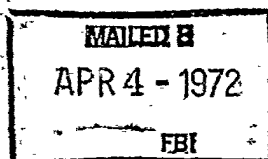
JCW:aym (4)

REC-117

MCT-25

100-460495-5542

16 APR 6 1972



Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Walkart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

MAIL ROOM ☐

TELETYPE UNIT ☐

*100-460495*

*SCW*

NR17 NY CODE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

220PM URGENT 3-31-72 FPN

TO DIRECTOR (100-460495) (100-448092)

ATT DID

PHILADELPHIA (100-51190) (100-51647)

FROM NEW YORK (100-168839) (100-160644)

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. DeLoach \_\_\_\_\_  
Mr. Evans \_\_\_\_\_  
Mr. Gale \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Sullivan \_\_\_\_\_  
Mr. Tavel \_\_\_\_\_  
Mr. Trotter \_\_\_\_\_  
Mr. Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

~~CONFIDENTIAL~~

REC-3

EASTCON (DEMONSTRATION) OOPH; VIETNAM VETANS AGAINST THE WAR  
(VVAW) IS-NEW LEFT OONY

CLASS. & EXT. BY SP-5 JH/ML  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 3-3-80

ON MARCH THIRTY LAST, A CONFIDENTIAL SOURCE WHO HAS FURNISHED  
RELIABLE INFO IN THE PAST, ADVISED NEW LEADERSHIP AT NATIONAL  
CLEARINGHOUSE OF VVAW, NYC, INCLUDING [REDACTED]  
"FIRST CASUALTY," VVAW NEWSPAPER, [REDACTED] VVAW,  
[REDACTED] "FIRST CASUALTY," [REDACTED]  
[REDACTED] FORMERLY A MEMBER OF NATIONAL EXECUTIVE COMMITTEE, VVAW AND  
ABOUT FOUR OTHERS, UNIDENTIFIED, WOULD DEPART, NYC BY BUS,  
PUBLIC TRANSPORTATION, MARCH THIRTY ONE INSTANT, AT SIX AM FOR  
HARRISBURG, PA., TO PARTICIPATE IN DEMONSTRATIONS AT UNITED STATES  
DISTRICT COURT, HARRISBURG, WHERE PHILLIP BERRIGAN AND SIX OTHERS ARE  
ON TRIAL ON CHARGES OF CONSPIRACY TO KIDNAP HIGH GOVERNMENT OFFICIAL  
AND TO DESTROY GOVERNMENT RECORDS AND BUILDINGS. VVAW GROUP WILL  
RETURN TO NYC INSTANT DATE BY BUS OR PRIVATE AUTOMOBILE.

ADMINISTRATIVE

SOURCE IS [REDACTED]

NO LHM TO BE SUBMITTED.

END

MSY FBI WASH DC

data deleted

REC-3

100-460495

APR 11 1972

57 APR 8 1972

APR 12 1972

~~CONFIDENTIAL~~

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF  
DATE 7-22-80 ADT

b2  
b7D

b6  
b7C

RECORDED COPY FILED IN 100-460495

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI (100-460495)

DATE: 4/7/72

FROM : SAC, CHARLOTTE (100-11101) (RUC)

SUBJECT: EASTCON (DEMONSTRATION)

Re WFO teletype to the Bureau 3/17/72, and Charlotte teletype to the Bureau 3/24/72.

Contact with established sources and informants has failed to develop any further information relative to the trial of the "Harrisburg Seven", or the "Pilgrimage for Peace and Freedom". Should any additional information be received the Bureau and interested offices will be advised.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]

SI-115

REC-19

100-460495-5544

2-Bureau (RM)  
1-Philadelphia (Info) (RM)  
1-Charlotte

JSW:jeb  
(4)

16 APR 19 1972

NEW LEFT



5010-108-01

58 APR 19 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

3/31/72

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI (100-460495)  
ATTENTION: DOMESTIC INTELLIGENCE DIVISION

FROM: SAC, JACKSONVILLE (100-1652) (RUC)

SUBJ: THE HARRISBURG DEFENSE COMMITTEE (HDC)  
EASTCON (DEMONSTRATIONS)  
IS-NEW LEFT

Re Baltimore airtel and LHM captioned as above,  
dated 3/27/72.

Enclosed for the information of the Tampa Division  
is one copy of referenced airtel and LHM.

On 3/31/72, [redacted] Department  
of Motor Vehicles, Tallahassee, Florida, advised that 1972  
Florida license 3W-8103 issued for use on 1964 Ford. VIN  
4N64C119949, in the name [redacted]  
[redacted] under Florida Title Number 1313620.

LEAD:

TAMPA

AT TAMPA, FLORIDA

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]

Conduct indices check regarding registrant of above  
Florida license to determine if this individual identifiable  
with any New Left activities. Advise Philadelphia and  
Baltimore.

- ② - Bureau (RM)
  - 2 - Baltimore (RM)
  - 2 - Philadelphia (RM)
  - 2 - Tampa (Enc. 2) (RM)
  - 1 - Jacksonville
- REH:cdh  
(9)

NOT RECORDED  
4. APR 11 1972

ORIGINAL FILED IN

100-460495-31

To: Mr. A. Rosen 4/5/72  
From: E. S. Miller  
SUBJECT: EASTCON

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Miller, ES	✓
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Fencer	_____
Mr. Bates	_____
Mr. Walker	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gaffney	_____

Eastcon verdict returned 4:10 pm.  
Jury unable to reach agreement on  
Counts I, II and III (conspiracy and  
threatening communication counts).  
Verdict of guilty on Counts V through  
X pertaining to contraband exchange  
of letters between Elizabeth McAlister  
and Philip Berrigan while he was  
incarcerated at Lewisburg Penitentiary

Judge advised individual jurors  
they need not justify or explain verdict  
and need not talk about it. Jury excused 4:28 pm.

Letter from unidentified juror to Judge  
attached to note announcing decision. Notation on  
envelope said it should be opened under certain  
unidentified circumstances with hope it was  
appropriate. Judge did not open envelope and  
ordered it sealed.

Hearing on discriminatory prosecution and  
electronic surveillance to be held at undetermined  
date at request of defense. Bond for  
Elizabeth McAlister and other defendants  
continued and prosecution offered no objection.  
No sentencing date set.

RLS:djr      REC 17      100-460495-5545  
EM/RLS      R      *[Signature]*

7 APR 11 1972  
GUILTY VERDICT ON COUNT IV  
RETURNED 4/2/72  
RLS

51 APR 17 1972  
APR 12 1972  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY sp 5 RBY/AN

100-460495-5545  
UNRECORDED COPY FILED IN 100-460495

April 6, 1972

Re: Inquiry by Herbert Brubaker,  
NBC News, Washington, D. C.

At approximately 11:10 a.m. 4/6/72, Herbert Brubaker, a reporter for NBC News, Washington Bureau, telephoned Bishop's office and spoke to Bland. Brubaker asked if the Director was in his office today. He was asked as to the reason for his inquiry and he said that he was just interested in view of the Berrigan decision handed down at Harrisburg, Pennsylvania, yesterday. He would furnish no other reason for his inquiry. He was told that the Director is in his office each day but that no information was available at the time as to the Director's specific whereabouts. It is surmised that NBC may be contemplating trying to locate the Director, probably outside of the office, in an effort to talk to him concerning the Berrigan decision. There was no statement made to this effect by NBC; however, it seems it may be a good possibility.

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

REC-19

For the Director's information.

16 APR 1972

JFB:asg

X-103

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY sp5 RCH/ln

70 APR 18 1972

b6  
b7c



UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI (100-460495) ~~CONFIDENTIAL~~ ~~CONFIDENTIAL~~ 4-10-72  
ATTENTION: DOMESTIC INTELLIGENCE DIVISION

FROM : LEGAT, MEXICO CITY (100-3557) (RUC)

SUBJECT: EAST COAST CONSPIRACY TO SAVE LIVES (ECCSL)

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF Class  
DATE 7-22-80 D.J.

Re Mexico City nitel dated 3-10-72 and WFO airtel  
and LHM dated 3-2-72.

During March, 1972, [redacted] and [redacted] made  
continuing efforts to locate [redacted] through the  
telephone number [redacted] located at [redacted]  
[redacted] in [redacted]  
On each occasion, they were informed that [redacted] was not  
[redacted]  
[redacted] It was further ascertained  
by these sources that [redacted] was apparently associated with  
individuals at Mexico City interested in the Zen Buddhist  
Movement. Efforts conducted to locate the center of Zen  
Buddhist practice at Mexico City were unsuccessful on the part  
of these sources. (u)

b2  
b6  
b7C  
b7D

CONFIDENTIAL

Inasmuch as the trial of the defendants in this case  
at Harrisburg, Pennsylvania, has been concluded, no further  
action is being taken to locate [redacted] in Mexico (u)

b6  
b7C  
b7D

CLASS. & EXT. BY SP-5 NJM  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 4-10-2013

CLASSIFIED BY 2040  
EXEMPT FROM GDS CATEGORY 2  
DATE OF DECLASSIFICATION INDEFINITE

- 6 - Bureau  
(1 - Foreign Liaison Desk)  
(1 - Philadelphia, 100-51190, Info)  
(1 - San Francisco, Info)  
(1 - Washington Field, 100-52299, Info)  
1 - Mexico City  
JJO:wr  
(7)
- ST-103 2033
- 100-460495-5547
- 3 APR 17 1972
- NEPTLE



5010-108-02

54 APR 20 1972

CONFIDENTIAL

(Confidential)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE.

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

DATE: 4/7/72

FROM : R. L. Shackelford RLS

SUBJECT: EASTCON

Tolson ✓  
Felt ✓  
Campbell ✓  
Rosen ✓  
Miller, E.S. ✓  
Callahan ✓  
Casper ✓  
Conrad ✓  
Dalbey ✓  
Cleveland ✓  
Ponder ✓  
Bates ✓  
Waikart ✓  
Walters ✓  
Soyars ✓  
Tele. Room ✓  
Holmes ✓  
Gandy ✓

The purpose of this memorandum is to advise you of laudatory comments of chief Eastcon prosecutor William S. Lynch concerning the Bureau's investigation of captioned matter.

In conversations with other Bureau personnel and with me after the Eastcon trial, Lynch stated he was disappointed in the verdict returned by the jury. However, he stated he had strong personal feelings about the case and felt the Bureau's investigation of the matter had been absolutely thorough, exhaustive and above reproach from the view of the prosecution staff. He stated the Agents had handled their investigation and testimony in an exemplary fashion. He added he personally felt the case was just beyond the comprehension of the jury.

## RECOMMENDATION:

None. For your information.

- 1 - Mr. A. Rosen
- 1 - Mr. E. S. Miller
- 1 - Mr. R. L. Shackelford
- 1 - Mr. F. B. Griffith

RLS:djr  
(5)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11-15-80 BY SP-5

EX-105

REC-59

100-460495-5548

APR 14 1972

53 APR 27 1972

COPY SENT TO MR. TOLSON

To: Mr. A. Rosen

4/5/72

From: E. S. Miller

Subject: EASTCON

You were previously advised Eastcon jury had question to effect could defendant be found guilty of conspiracy if he conspired to commit violation of four of six statutes mentioned in Count I of indictment.

Court reconvened 1:55 p.m. without jury. Various defense counsel argued against Judge Herman answering question of jury along lines suggested by Government. Judge R. Dixon Herman either ruled against or ignored arguments. He thereupon called jury in and said he could not answer question yes or no as to do so would be telling jury how to vote. He then noted they may find a defendant guilty on Count I if beyond reasonable doubt they find he conspired to commit four of six statutes contained in this portion of indictment.

Jury retired 2:07 p.m., after which Judge Herman dismissed alternate jurors. Court recessed 2:09 p.m.

You will be advised of pertinent developments.

RLS:djr

100-460495-  
NOT RECORDED

8 APR 14 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]

55 APR 19 1972

VB313125

FBI

Date: 4/4/72

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL AIR MAIL - REGISTERED MAIL  
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, BUFFALO

[REDACTED]  
 SM - SUBVERSIVE  
 Bureau File 100-453825  
 Buffalo File 100-21933 (P)

b6  
b7c

[REDACTED] aka  
 SM - SUBVERSIVE  
 Buffalo File 100-21932 (P)  
 EASTCON  
 Buffalo File 100-20820 (P)

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-15-80 BY SP-5 [signature]

Re Buffalo airtel to the Bureau, 2/22/72.

By referenced communication, Buffalo submitted license number PX5083, described as possibly being a Maryland license, and requested Baltimore to attempt to determine registered owner of this vehicle. This vehicle has since been observed again in Buffalo Division territory and it has now been determined that this is an Illinois license.

Baltimore discontinue lead set forth in referenced communication.

① - Bureau (AM) (RM)  
 2 - Baltimore (AM) (RM)  
 6 - Buffalo  
 CPA:mlr  
 (14)

100-460495-

NOT RECORDED  
 191 APR 12 1972

Approved: 58 APR 17 1972  
 Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

ORIGINAL FILED IN 100-453825-33

BU 100-21933  
BU 100-21932  
BU 100-20820

For the information of the Bureau, Buffalo will determine the owner of the above described vehicle and handle this information in accordance with its pertinence in connection with captioned cases.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 1 1972

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Waikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR004-PLAINTEXT NY

4-35 PM URGENT 4-1-72 NRS

TO DIRECTOR 100-460495

PHILADELPHIA 100-51190 HARRISBURG TRAIL OFFICE

FROM NEW YORK 100-168839 3P

EASTCON DEMONSTRATION

RE PHILADELPHIA TELETYPE MARCH THIRTY ONE, NINETEEN SEVENTY  
TWO, REGARDING [REDACTED] ARRESTED AT  
HARRISBURG, PA., FOR BLOCKING INGRESS AND EGRESS TO U.S. COURT  
HOUSE SAME DATE.

PRETEXT TO EMMAUS HOUSE (EMH), TWO FOUR ONE EAST ONE  
ONE SIX STREET, NYC, DETERMINED [REDACTED] A  
REGULAR AT THIS ADDRESS, AND CAN BE CONTACTED THERE PRACTICALLY  
AND NIGHT. FEMALE RECEPTIONIST AT EMH SAID HE IS PRESENTLY AT  
HARRISBURG AND WILL BE THERE FOR FEW DAYS.

EMH, A THREE STORY BUILDING, CURRENTLY A GATHERING PLACE  
FOR RELIGIOUS RADICALS OF ALL DENOMINATIONS, PURPORTEDLY DOING  
SOCIAL WORK AMONG POOR, BUT LARGELY CONCERNED WITH VARIOUS  
POLITICAL ACTIONS AND STRONG SUPPORTERS OF HARRISBURG SEVEN.  
END OF PAGE ONE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-88 BY SP-5 [REDACTED]

cc To [REDACTED]

PAGE TWO

NYO FILES REFLECT TELETYPE FROM ALEXANDRIA TO BUREAU, NEW YORK ADN WFO DATED DECEMBER THIRTEEN, NINETEEN SEVENTY ONE, WITH FOLLOWING SUBJECT, GUERILLA THEATER TRAINING ENCAMPMENT SPONSORED BY THE COLLECTIVE FOR DIRECT ACTION DEVELOPMENT CDAD, DECEMBER TEN - TWELVE, NINETEEN SEVENTY ONE, AT MC LEAN, VIRGINIA, NYFILE ONE HUNDRED - ONE SEVEN FOUR NINE EIGHT FOUR. TELETYPE RELATED ENCAMPMENT WAS HELD AT THE LANGLEY HILLS FRIENDS MEETING HOUSE A QUAKER MEETING HOUSE IN MC LEAN, VA., FROM DECEMBER TEN, NINETEEN SEVENTY ONE, TO DECEMBER TWELVE, NINETEEN SEVENTY ONE, AND APPROXIMATELY THIRTEEN PEOPLE ATTENDED. SPONSORING GRUOUP WAS CDAD, A NEW GROUP WITH OFFICE AT TWO ONE TWO ONE DECATUR PLACE, N.W., WDC, TELEPHONE NUMBER TWO ZERO TWO - TWO THREE TWO - FOUR SEVEN SEVEN TWO. ONE OF ORGANIZERS FOR ENCAMPMENT WAS [REDACTED] b6 b7C

[REDACTED] YEARS OLD, AFFILIATED WITH QUAKERS. SHE RESIDED AT WDC. THE TRAINERS AT CAPTIONED CONFERENCE WERE [REDACTED] b6 b7C

[REDACTED] YEARS OLD, AND [REDACTED] b6 b7C

[REDACTED] YEARS OLD. BOTH CLAIMED THEY WERE FROM QUAKER b6 b7C

END OF PAGE TWO

PAGE THREE

PROJECT IN COMMUNITY CONFLICT QPCC AT THIRTEEN EAST SEVENTEEN STREET, NYC. ACTIVITIES AT TRAINING ENCAMPMENT CONSISTED OF WORK SHOPS ON SELF EXPRESSION, OF WHICH [REDACTED] MADE VIDEO TAPES. THE GROUP ON DECEMBER TWELVE, NINETEEN SEVENTY ONE, VISITED TWO AREA CHURCHES WHERE TRAINING WAS PUT INTO PRACTICE BY HAVING FOUR OF GROUP REPRESENT THEMSELVES AS AMERICAN PEACE CHRISTMAS TREE, DECORATED WITH OBJECTS REPRESENTING A CAN OF MACE, ARMS FOR PAKISTAN, A BOMB, AND AN AUTOMATED BATTLEFIELD. THE TREE THEN COLLAPSED UNDER OWN WEIGHT. THE GROUP ALSO PLANNED TO OBTAINED ABOUT FORTY TICKETS TO ANNUAL LIGHTING OF CHRISTMAS TREE IN WDC AND CAUSE SOME KIND OF DISRUPTION. NO ADDITIONAL INFORMATION RE THIS GROUP.

[REDACTED] HAS NO NEW YORK DRIVERS'S LICENSE OF AUTO REGISTRATION PER CHECK MADE THROUGH NYCPD.

END

MRF FBI WA DC



RA  
Assistant Attorney General  
Internal Security Division

April 18, 1972

Director, FBI

Eastcom  
EQBAL AHMAD, et al. v. U.S.  
"EAST COAST CONSPIRACY  
TO SAVE LIVES"

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5  
WJH/WR

Attached is the original of a subpoena received in the Office of Legal Counsel of this Bureau at 4:00 p.m. on Monday, April 17, 1972, from one Mark Gold who described himself as representing the office of Ramsey Clark at 1775 K Street, Northwest, Washington, D. C. Mr. Gold said the subpoena was issued for purposes of the post-conviction hearing. It calls for my appearance in the Federal District Court at Harrisburg, Pennsylvania, at 10:00 a.m. on May 2, 1972, or, alternatively, the production of certain generally described documents certified or stipulated as authentic and correct.

The subpoena is being referred to you for such action as you consider proper. In the absence of instructions from you, no action will be taken here.

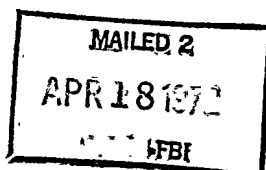
Enclosure

NOTE: Based on memorandum D. J. Dalbey to Mr. Tolson, captioned as above, 4/17/72, DJD:mfd.

REC 31

100-460495-5550

DJD:mfd  
(10)



19 APR 18 1972

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Walkart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

APR 20 1972

MAIL ROOM

TELETYPE UNIT

FBI

Date: 4/14/72

Transmit the following in PLAIN TEXT  
(Type in plaintext or code)

Via AIRTEL AIR MAIL

(Priority)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5/ML/JS

Mr. Felt \_\_\_\_\_  
Mr. Campbell \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Miller, ES \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. DeLoach \_\_\_\_\_  
Mr. Evans \_\_\_\_\_  
Mr. Gale \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Sullivan \_\_\_\_\_  
Mr. Tavel \_\_\_\_\_  
Mr. Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

TO : DIRECTOR, FBI  
ATTENTION: DOMESTIC INTELLIGENCE DIVISION

FROM : SAC, SPRINGFIELD (100-

SUBJECT : DEMONSTRATION PROPOSED BY  
[REDACTED] OF HARVARD UNIVERSITY, TO  
TAKE PLACE AT SOUTHERN ILLINOIS UNIVERSITY,  
CARBONDALE, ILLINOIS ON 4/27/72  
IS - NL

RE: Philadelphia tel to Director dated 4/1/72  
captioned "EASTCON-DEMONSTRATION" and Philadelphia  
airtel to SAC, Albany, 4/3/72, entitled "EASTCON-  
DEMONSTRATION".

For the information of the Bureau, representatives  
of the Illinois State Police, Carbondale Police Department  
and Southern Illinois University Security Police, Carbondale,  
Illinois, had been advised of pertinent information contained  
in referenced communications. The building at SIU, Carbondale,  
referred to by [REDACTED] is probably the Center for  
Vietnamese Studies, which has been the focal point for demon-  
strations at SIU in the past.

EDWARD C. McCUE (former SA), Assistant Security  
Officer, Southern Illinois University, Carbondale, Illinois,  
advised that the President of SIU is contemplating the use  
of a court injunction to stop any takeover of the Center for  
Vietnamese Studies.

Contact with sources at SIU to this date have  
been negative regarding a planned demonstration on 4/27/72.

② - Bureau (RM) 1-724 100-460495-  
2 - Boston (RM)  
2 - Philadelphia (RM)  
5 - Springfield (2 - 100-  
WTR:BLH (1 - 105-1899)  
(11) (1 - 100-12390)  
(1 - 66-1967)

NOT RECORDED

78 APR 27 1972 16 APR 20 1972

RESEARCH SECTION  
NEW LEEL

Approved: MSO  
Special Agent in Charge

Sent \_\_\_\_\_

U. S. GOVERNMENT PRINTING OFFICE: 1971-413-135

61 MAY 1 1972

ORIGINAL FILED IN 105-206101-12

SI 100-

LEADS

BOSTON DIVISION

Due to the fact that [ ] is a student at Harvard University, Boston is requested to furnish any information regarding [ ] and any proposed travel to Springfield Division.

b6  
b7C

PHILADELPHIA DIVISION

Furnish any further pertinent information concerning proposed demonstration and travel of individuals to demonstration to Springfield Division.

SPRINGFIELD DIVISION

AT CARBONDALE, ILLINOIS:

Maintain contact with sources and cover proposed demonstration.

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

FROM : R. L. Shackelford

SUBJECT: REQUEST OF DEPUTY ASSISTANT ATTORNEY  
GENERAL WILLIAM S. LYNCH AND TWO MEMBERS  
OF HIS STAFF TO VISIT THE DIRECTOR

1 - Mr. A. Rosen  
1 - Miss Holmes

DATE: 4/12/72

1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith  
1 - Mr. G. H. Menzel

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, W.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-10/10/80

## PURPOSE:

To note request of Deputy Assistant Attorney General William S. Lynch to visit Director and introduce to him Departmental Attorneys John Phillip Krajewski and Paul J. Killion, who were assigned to his staff for the prosecution of the EASTCON case at Harrisburg.

## DETAILS:

Late 4/11/72, Mr. Lynch visited the Domestic Intelligence Division to introduce to Section front office personnel other members of his prosecution staff. He advised that he has been extremely busy with problems related to his regular position as Section Chief of the Organized Crime Section of the Department since his return from Harrisburg. Lynch commented no decision had been reached by the Department as to retrying the case and he felt there was no urgency. He added that if the case was a straight criminal matter with no so-called political and religious overtones, having the evidence available there would be no question that he would strongly recommend retrial. He was advised it was strictly a prosecution decision for the Department to make which he acknowledged.

During the visit, he advised that he wished to make known that he is quite anxious for an opportunity to briefly visit the Director, whom he has previously met, for the purpose of paying his respects and to introduce John Phillip Krajewski and Paul J. Killion to Mr. Hoover. He commented that these persons are two of the three young talented associates who assisted him in Harrisburg. The third individual, William Connelly, is an Assistant U.S. Attorney in Toledo, who has returned to Ohio. Mr. Connelly met the Director 2/22/71, after which the Director commented "I was impressed with Connelly, H".

GHM:rsm  
(7)

100-460495-  
NOT RECORDED  
170 APR 19 1972  
5 APR 19 1972

61 MAY 1 1972

5726

Memorandum to Mr. E. S. Miller  
Re: Request of Deputy Assistant Attorney  
General William S. Lynch and Two Members  
of his Staff to Visit the Director

Mr. Krajewski is [redacted]

b6  
b7C

[redacted]  
[redacted] During the trial, Krajewski developed material  
from the [redacted] b7E  
between EASTCON principals. He also developed for trial and handled  
direct examination of witnesses in the phase dealing with the four  
Delaware Selective Service break-in cases.

Mr. Killion [redacted]

b6  
b7C

During the trial, Mr. Killion handled legal research and prepared  
answers and memoranda on motions. Lynch stated his work is  
highly proficient and his success earned him the respect of  
defense counsel and the judge during the EASTCON trial. In this  
regard, Lynch noted that there were an estimated 30 written motions  
handled for him by Killion during the trial, which he believes  
must be a record in any Federal criminal prosecution.

Mr. Lynch stated that if an appointment with the  
Director is possible, Mr. Krajewski, Mr. Killion and himself  
will be available beginning 4/13/72 or through the week  
4/17-21/72.

RECOMMENDATION:

In the event the Director indicates his schedule  
permits a meeting with Messers Lynch, Krajewski and Killion,  
it is requested this memorandum be expeditiously returned to  
the Domestic Intelligence Division in order that Mr. Lynch may  
be advised of the date of the meeting with the Director.

AS 11.15 a.m. April 17.

Confirmed - see  
memo shared to Miller  
4/14/72 - Jan

mm  
BEG

AS

7

WGC

R

EM

MINER  
ADV. 4-13-72

AS  
Jan

Airtel

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop  
1 - Mr. C. W. Bates  
1 - Mr. E. S. Miller  
4/11/72

To: SAC, Philadelphia (83-2534)  
From: Director, FBI

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith  
1 - Mr. T. J. McNiff

UNSUBS;

Damage to Approximately 313 Bomb  
Casings, HK 82, A.M.F. Inc.,  
York, Pennsylvania, 3/25/72

~~SABOTAGE; DESTRUCTION OF GOVERNMENT PROPERTY~~

EASTON

b6  
b7c

Reurtel dated 4/9/72.

Bureau authority is granted for you to interview [redacted] and [redacted] in accordance with your request contained in referenced teletype. These interviews must be conducted by mature Agents and it must be explained at the outset that these interviews are being conducted for the purpose of resolving captioned matter. These individuals must be specifically queried as to the reason for their presence in the vicinity of captioned boxcar on the morning of 3/27/72, the manner in which they received the press release of 3/26/72 that was found in their possession and the identity of the fourth individual, who reportedly was in their company that date but escaped identification. Leads resulting from these interviews must be immediately followed.

For your information, Bureau file 77-113314 indicates that the Department of Justice, in 7/70, requested a name check for one [redacted] born [redacted] a student at Temple University, who had applied for employment in Philadelphia under the Summer Work-Study Program. The Department was advised that no pertinent, identifiable information concerning [redacted] was found in DJI files. A copy of this application is enclosed for your information.

Enclosure

100-460495  
1 - 82-94528

TJM:cae  
(12)

NOT RECORDED

168 APR 12 1972

ALL INFORMATION CONTAINED

NOT RECORDED  
168 APR 12 1972  
DATE 7-15-80 BY sp-5  
no per

SEE NOTE PAGE TWO

70 APR 18 1972

DUPLICATE YELLOW

ORIGINAL FILED IN

Airtel to Philadelphia

Re: Unsubs; Damage to Approximately 313 Bomb  
Casings, MK 82, A.M.F. Inc., York,  
Pennsylvania, 3/26/72

With regard to the above interviews, unless there is information available to you dictating to the contrary, it is felt that chances of success would be increased should [ ] and [ ] be interviewed prior to contact of [ ]. The latter individual appears more experienced and committed to the movement, and is, therefore, less likely to cooperate. Should he be contacted first, it can be expected that he would immediately contact the others and, if not already done, offer counseling and guidance.

b6  
b7C

Agents conducting these interviews must be most discreet as it can be expected that some reference will be made to these contacts in an unfavorable light, either in the publications represented by these individuals or by the Harrisburg Defense Committee claiming harassment. The interviews, therefore, must be conducted in an efficient and businesslike manner and the Bureau kept advised of pertinent developments.

NOTE:

See memorandum R. L. Shackelford to Mr. E. S. Miller, captioned as above, dated 4/10/72, prepared by TJM:cae.

UNITED STATES GOVERNMENT

# Memorandum

TO : *me* DIRECTOR, FBI (100-460495) DATE: 4/10/72  
(ATTN: DOMESTIC INTELLIGENCE DIVISION)  
FROM : *L/pf* SAC, NEWARK (100-53256) (RUC)  
SUBJECT: *0* THE HARRISBERG DEFENSE COMMITTEE (HDC),  
EASTCON (DEMONSTRATIONS)  
IS - NEW LEFT

Re: Newark teletype to Bureau, 3/24/72.  
Baltimore airtel and LHM to Bureau, 3/27/72.

Leads for Newark set forth in referenced Baltimore airtel and LHM, dated 3/27/72, were covered in referenced Newark teletype, dated 3/24/72.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-88 BY SP-5  
*REJOH*

EXP. PROC.

EX-100

REC 44 100-460495-5551

18  
R2 APR 18 1972

*REJOH*  
NEW LEFT

*1-932940*  
2-Bureau  
2-Baltimore (100-28265)  
1-Newark  
LET/mgd  
(5)



5010-108

*ret*  
70 APR 21 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



To: Mr. A. Rosen

4/5/72

From: E. S. Miller

Subject: EASTCON

Mr. Tolson	✓
Mr. Felt	✓
Mr. Campbell	✓
Mr. Rosen	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Miller, ES	✓
Mr. Callahan	✓
Mr. Casper	✓
Mr. Conrad	✓
Mr. Dalbey	✓
Mr. Cleveland	✓
Mr. Ponder	✓
Mr. Bates	✓
Mr. Winkart	✓
Mr. Walters	✓
Mr. Soyars	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

Harrisburg Trial Office has advised jury reconvened at 9:00 a.m., 4/5/72, and during morning sent Judge R. Dixon Herman sealed note, contents of which are unknown to either defense or prosecution.

Defense has also filed handwritten motion with Judge Herman to dismiss alternate jurors.

At 12 Noon Judge called prosecution and defense counsel to chambers for meeting which appears to relate to defense motion. It is not known what other matters may be discussed.

RLS:djr

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 JLM/m

REC-88  
ST-116

100-460495-5552

22 APR 18 1972

COPY MADE FOR MR. TOLSON

70 APR 21 1972

766121015

W

4/5/72  
3:30 pm

RE: EASTCON

We have just been advised that the Judge has called both the defense and prosecution counsels to his chambers. The purpose is not yet known, but as soon as more information is received we will be advised.

Mr. Tolson ☒  
Mr. Felt ☒  
Mr. Campbell ☒  
Mr. Rosen ☒  
Mr. Tavel ☒  
Mr. Bishop ☒  
Mr. Miller, ES ☒  
Mr. Callahan ☒  
Mr. Casper ☒  
Mr. Conrad ☒  
Mr. Dalbey ☒  
Mr. Cleveland ☒  
Mr. Ponder ☒  
Mr. Bates ☒  
Mr. Weikart ☒  
Mr. Walters ☒  
Mr. Soyars ☒  
Tele. Room ☒  
Miss Holmes ☒  
Miss Gandy ☒

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-13-80 BY SP-5 NWA/KW

RLS: csh

REC-82

ST-116 100-460495-55 53

22 APR 18 1972

COPY MADE FOR MR. TOLSON

5-72

70 APR 21 1972

468131223

To: ~~Mr.~~ A. Rosen

4/6/72

From: E. S. Miller

RE: EASTCON

You were previously advised Eastcon juror sent note to Judge R. Dixon Herman regarding deliberations of jury.

We have determined the Judge made the note a part of the trial record and instructed clerk of court to make it available only to defense and prosecution and not to the press. Defense attorney Thomas Menaker read this document and took notes as did U.S. Attorney John Cattone. Note reads as follows:

"We are making a decision on Count #I without knowing what the indictment means and some of the jurors refuse to interpret it as the court has directed to, by saying that a, b, c, d, e and f must all have been conspired in order for anyone to be guilty of conspiring to do any of the above. (Signed)                      P.S. Is there any more information you can give on the above."

The letter designations refer to specific statutes named in Count I (conspiracy) of the indictment.

RLS:djr

Mr. Tolson	✓
Mr. Felt	✓
Mr. Campbell	✓
Mr. Rosen	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Miller	✓
Mr. Callahan	✓
Mr. Casper	✓
Mr. Conrad	✓
Mr. Dalbey	✓
Mr. Cleveland	✓
Mr. Ponder	✓
Mr. Bates	✓
Mr. Waikart	✓
Mr. Walters	✓
Mr. Soyars	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

b6  
b7C

REC-88 100-480415-  
5554  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 JH/tin  
5736

70 APR 21 1972

44-131315

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 14 1972

TELETYPE

NR 005 CI CODE

9:32PM

NITEL 4/14/72 CFR

TO DIRECTOR (100-460495)

LOUISVILLE (100-5771)

FROM CINCINNATI (100-20527) P 2P

Mr. Tolson\_\_\_\_\_  
Mr. Felt\_\_\_\_\_  
Mr. Campbell\_\_\_\_\_  
Mr. Rosen\_\_\_\_\_  
Mr. Mohr\_\_\_\_\_  
Mr. Bishop\_\_\_\_\_  
Mr. Miller, *EM*\_\_\_\_\_  
Mr. Callahan, *6K*\_\_\_\_\_  
Mr. Casper\_\_\_\_\_  
Mr. Conrad\_\_\_\_\_  
Mr. Dalbey\_\_\_\_\_  
Mr. Cleveland\_\_\_\_\_  
Mr. Ponder\_\_\_\_\_  
Mr. Bates\_\_\_\_\_  
Mr. Waikart\_\_\_\_\_  
Mr. Walters\_\_\_\_\_  
Mr. Soyars\_\_\_\_\_  
Tele. Room\_\_\_\_\_  
Miss Holmes\_\_\_\_\_  
Miss Gandy\_\_\_\_\_

b6  
b7c

PROPOSED DEMONSTRATIONS PROTESTING RENEWED VIETNAM WAR ACTIVITIES

SPONSORED BY CINCINNATI PEACE COALITION, CINCINNATI, OHIO, - COVINGTON,  
KENTUCKY AREAS, *4/14-21/72* APRIL FOURTEEN - TWENTYONE, NINETEEN SEVENTYTWO  
IS - NEW LEFT; EASTCON

AT NOON TODAY, TEN DEMONSTRATORS REPRESENTING CINCINNATI PEACE  
COALITION (CPC) ASSEMBLED ON SIDEWALK IN FRONT OF FEDERAL BUILDING  
CINCINNATI AND BEGAN DISTRIBUTING LEAFLETS URGING NON-PAYMENT OF TAXES  
USED FOR WAR IN SOUTHEAST ASIA AND MADE SPEECHES TO PASSERS BY URGING  
NON-PAYMENT OF WAR TAXES.

DURING DEMONSTRATION, IRS PERSONAL INCOME TAX FORMS WERE ATTACHED  
TO A SHEET OF CARDBOARD AND RED INK SYMBOLIZING BLOOD WAS POURED  
OVER THE IRS FORMS. DEMONSTRATION ENDED AT ONE PM AND DEMONSTRATORS  
DEPARTED. NO INCIDENTS OR ARRESTS OCCURRED.

END PAGE ONE

EX-100

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

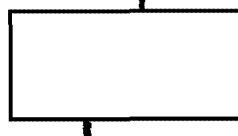
DATE 7-15-80 BY SP-5 *184/1142*

57 APR 25 1972

2 "cc to 150  
Adm data deleted"

*100 white House  
summary tel*

*AK*

5 - 

PAGE TWO

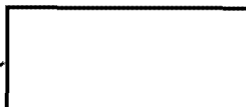
ADMINISTRATIVE

RE CINCINNATI TEL APRIL THIRTEEN LAST.

DEMONSTRATION COVERED BY BUAGENTS. NO CHANGES OF SCHEDULE OF  
PROPOSED DEONSTRATIONS AS LISTED IN RE TEL.

END

CC-



b6  
b7C

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 13 1972 **CONFIDENTIAL**

**TELETYPE**

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Winkert	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 003 CI CODE

416PM URGENT 4/13/72 CFR

TO DIRECTOR (100-460495) ATTN DID

LOUISVILLE (100-5771)

PHILADELPHIA (100-51190)

FROM CINCINNATI (100-20527) P 5P

*Eastcon*

CLASS. & EXT. BY *SP-5 [Signature]*  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW *4-13-92*

CHANGED

~~PROPOSED DEMONSTRATIONS~~ ~~PROTESTING RENEWED VIETNAM WAR~~  
~~ACTIVITY SPONSORED BY CINCINNATI PEACE COALITION, CINCINNATI, OHIO-~~  
~~COVINGTON, KENTUCKY AREAS, APRIL FOURTEEN - TWENTYONE, NINETEEN~~  
~~SEVENTYTWO; IS - NEW LEFT; EASTCON~~

FIRST RELIABLE SOURCE REPORTED TODAY [REDACTED] PROMINENT  
CINCINNATI PACIFIST AND LONG TIME LEADER OF ANTI-VIETNAM WAR  
DEMONSTRATIONS IN CINCINNATI - COVINGTON, KENTUCKY AREAS, HAD  
ANNOUNCED FOLLOWING SCHEDULE OF DEMONSTRATION ACTIVITY IN THE  
GREATER CINCINNATI AREA DURING THE APRIL FOURTEEN - TWENTYONE NEXT  
PERIOD, ALL SPONSORED BY CINCINNATI PEACE COALITION (CPC), LONG

END PAGE ONE

**ST-117**

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF  
DATE *7-22-80 P.D.T.*

APR 17 1972

**CONFIDENTIAL**

APR 19 1972

2cc to [Signature]  
Adm. data deleted  
62 APR 27 1972

RECORDED COPY FILED IN 100-138315-10

PAGE TWO

~~CONFIDENTIAL~~

ESTABLISHED PACIFIST GROUP AT CINCINNATI, WHICH HAS SPONSORED  
NUMEROUS PEACEFUL ANTI- WAR DEMONSTRATIONS IN THE PAST:

(ONE) APRIL FOURTEEN NEXT, TAX RESISTANCE DEMONSTRATION AT  
COVINGTON, KENTUCKY INTERNAL REVENUE SERVICE (IRS) CENTER, NO TIME  
MENTIONED.

(TWO) APRIL FIFTEEN NEXT, PEACE MOTORCADE TO LEAVE ST. JOHNS  
UNITARIAN CHURCH, THREE TWO ZERO RESOR STREET, CINCINNATI - DRIVE  
ALL OVER CINCINNATI WITH SIGNS AND FLOWERS ON CARS UNTIL FIVE PM.  
NO INDICATION THAT IRS CENTER, COVINGTON, INVOLVED AS IT IS CLOSED  
ON SATURDAYS.

(THREE) APRIL SIXTEEN NEXT, VOLUNTARY EDUCATIONAL PROGRAM AT  
VARIOUS CINCINNATI AREA CHURCHES, NONE IDENTIFIED.

(FOUR) APRIL SEVENTEEN NEXT, LOBBYING VISITS BY FOUR - FIVE CPC  
PERSONS TO LOCAL CINCINNATI OFFICES OF US CONGRESSMEN DONALD D.  
CLANCY AND WILLIAM J. KEATING.

(FIVE) APRIL EIGHTEEN NEXT, SPEAKING APPEARANCE OF "JOHN"  
(THEODORE J. ~~ELICK~~, "HARRISBURG EIGHT" DEFENDANT, AND EAST COAST  
CONSPIRACY TO SAVE LIVES MEMBER, AT ST JOHNS CHURCH, SUPRA, EIGHT

END PAGE TWO

~~CONFIDENTIAL~~

PAGE THREE

~~CONFIDENTIAL~~

PM, SPONSORED BY CPC.

(SIX) APRIL NINETEEN NEXT, FLOWER CONFRONTATION AT UNIVERSITY OF CINCINNATI (UC) YMCA WHERE DRAFT LOTTERY WILL BE HELD, TIME NOT INDICATED, AND "PEACE ARMY" DRAFTED. DRAFTEES WILL DELIVER FLOWERS AND MESSAGE OF PEACE TO MILITARY PERSONNEL AND PUBLIC OFFICIALS, UNIDENTIFIED, AT CINCINNATI.

(SEVEN) APRIL TWENTY NEXT, GUERILLA THEATERS TO BE HELD AT LOCAL CINCINNATI AREA SHOPPING CENTERS.

(EIGHT) APRIL TWENTYONE NEXT, BEGINNING AT SIX AM AND CONTINUING THROUGHOUT DAY, LEAFLETING BY CPC IN FRONT OF FEDERAL BUILDING, FIFTH AND MAIN STREETS, CINCINNATI.

SOURCE ADVISED NO VIOLENCE OR INCIDENTS WERE PLANNED AND ABOVE ACTIVITY WOULD BE ORDERLY AND PEACEFUL.

[REDACTED] CINCINNATI, OHIO, OFFICE, CONGRESS-

b6  
b7C

*Member of Cincinnati Peace Coalition*

MAN DONALD D. CLANCY, SECOND DISTRICT OF OHIO, ADVISED TODAY THAT [REDACTED]

[REDACTED] REPRESENTING CPC,

*Ohio*

HAS APPOINTMENT FOR HIMSELF AND FOUR OTHER PERSONS FROM CPC AT ELEVEN AM, APRIL TWENTY NEXT TO DISCUSS DRAFT REPEAL AND MILITARY BUDGET MATTERS WITH CLANCY. SHE ADVISED NO CONTACT HAS BEEN MADE

END PAGE THREE

~~CONFIDENTIAL~~



PAGE FOUR

~~CONFIDENTIAL~~

BY CPC WITH OFFICE OF CONGRESSMAN WILLIAM J. KEATING, FIRST DISTRICT OF OHIO.

SECOND CONFIDENTIAL SOURCE, FAMILIAR WITH NEW LEFT AND CPC ACTIVITY, GREATER CINCINNATI AREA, ADVISED TODAY HE COULD FURNISH NO ADDITIONAL DETAILS CONCERNING ABOVE DEMONSTRATION ACTIVITIES.

ADMINISTRATIVE

ABOVE TITLE MARKED CHANGED TO SHOW COMPLETE PERIOD FOR CPC DEMONSTRATION ACTIVITIES, CINCINNATI-COVINGTON, KENTUCKY AREAS, AS WELL AS EATCON ACTIVITY APRIL EIGHTEEN NEXT, REGARDING APPEARANCE OF HARRISBURG EIGHT DEFENDANT GLICK.

RE LOUISVILLE, MARCH THIRTY LAST, CAPTIONED "PROPOSED DEMONSTRATION BY THE CINCINNATI, OHIO, PEACE COALITION AT INTERNAL REVENUE DATA PROCESSING CENTER, COVINGTON, KENTUCKY, APRIL FIFTEEN NEXT; INTERNAL SECURITY - NEW LEFT".

FIRST CONFIDENTIAL SOURCE IS [REDACTED]

SECONDL CONFIDENTIAL SOURCE IS [REDACTED]

REGARDING REPORTED APPEARANCE OF EASTCON DEFENDANT "JOHN" (THEODORE J.) GLICK, APRIL EIGHTEEN NEXT, UNDER CPC SPONSORSHIP

b2  
b7D

END PAGE FOUR

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

PAGE FIVE

AT ST JOHNS UNITARIAN CHURCH, CINCINNATI WILL PROVIDE COVERAGE IN ACCORDANCE WITH BUREAU INSTRUCTIONS REGARDING HARRISBURG EIGHT DEFENDANT UACB.

ABOVE INFORMATION DISSEMINATED TO ONE HUNDRED NINTH MIG, OSI, NISO, SECRET SERVICE, IRS, GSA, POSTAL INSPECTORS, USA, CINCINNATI PD, AND OFFICES OF CONGRESSMEN CLANCY AND KEATING.

CINCINNATI FOLLOWING CLOSELY THROUGH SOURCES AND WILL PROMPTLY FURNISH INFORMATION REGARDING PERTINENT DEVELOPMENTS.

END

JDJ FBI WASH DC CLR

~~CONFIDENTIAL~~

b6  
b7C

cc



5-

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>Philadelphia</b>	OFFICE OF ORIGIN <b>Philadelphia</b>	DATE <b>4/11/72</b>	INVESTIGATIVE PERIOD <b>2/17/72 - 4/10/72</b>
TITLE OF CASE <b>EAST COAST CONSPIRACY TO SAVE LIVES (ECCSL)</b>		REPORT MADE BY <b>CHARLES A. DURHAM, Jr.</b>	TYPED BY <b>clp</b>
		CHARACTER OF CASE <b>IS - NEW LEFT; DGP; KIDNAPPING; SABOTAGE - CONSPIRACY</b>	

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-5 EKH/NO

## REFERENCES

Philadelphia reports of SA CHARLES A. DURHAM, Jr., dated  
 10/9/70, 10/21/70, 11/13/70, 12/2/70, 12/14/70, 12/18/70,  
 1/4/71, 1/11/71, 1/14/71, 1/29/71, 2/19/71, 3/10/71,  
 3/23/71, 3/31/71, 4/14/71, 4/19/71, 4/29/71, 5/13/71,  
 5/28/71, 6/14/71, 6/28/71, 7/15/71, 8/12/71, 8/31/71,  
 9/23/71, 10/28/71, 11/18/71, 12/15/71, 1/7/72, 1/27/72,  
 and 2/16/72.

Records: place copy in individual main files:  
 100-448675 (Egbal Ahmad) 100-462341 (A. Scoblick)  
 100-449746 (P. Barrigan) 100-463390 (M. Scoblick)  
 100-461429 (E. McClister) 100-457496 (J. Wenderoth)  
 100-461758 (N. McDonoughlin)

ACCOMPLISHMENTS CLAIMED <input type="checkbox"/> NONE						ACQUIT- TALS	CASE HAS BEEN:  PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		

APPROVED

SPECIAL AGENT  
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

10-Bureau (100-460495) (RM)  
 1-USA, MDPA

(Copies continued Cover Page B)

8cc retained 932

Dissemination Record of Attached Report			
Agency	AAG-ISO Attn: Lynch		
Request Recd.			
Date Fwd.	4/12/72		
How Fwd.	RIS		
By	FBI:dlb		

Notations

NEW  
STAT SECT

55 APR 25 1972

APR 21 1972

COVER PAGE

UNRECORDED COPY FILED IN

PH 100-51190

(Copies continued from Cover Page A)

1-Albany (100-21655) (Info) (RM)  
1-Alexandria (100-527) (Info) (RM)  
1-Baltimore (100-27708) (Info) (RM)  
1-Boston (100-41615) (Info) (RM)  
1-Buffalo (100-20820) (Info) (RM)  
1-Chicago (100-45623) (Info) (RM)  
1-Cincinnati (100-19009) (Info) (RM)  
1-Cleveland (100-30822) (Info) (RM)  
1-Newark (100-52605) (Info) (RM)  
1-New Haven (100-20708) (Info) (RM)  
1-New York (100-168839) (Info) (RM)  
1-Pittsburgh (100-16840) (Info) (RM)  
1-Richmond (100-11335) (Info) (RM)  
1-WFO (100-52299) (Info) (RM)  
11-Philadelphia  
    3-(100-51190) (EASTCON)  
    1-(100-51915) (Ahmad)  
    1-(100-51919) (Mc Alister)  
    1-(100-51953) (Mc Laughlin)  
    1-(100-50288) (P. Berrigan)  
    1-(100-51951) (A. Scoblick)  
    1-(100-51918) (M. Scoblick)  
    1-(100-51425) (Wenderoth)  
    1-(100-51305) (Glick)

---

LEADS

ALBANY, ALEXANDRIA, BALTIMORE, BOSTON, BUFFALO, CHICAGO,  
CINCINNATI, CLEVELAND, NEWARK, NEW HAVEN, NEW YORK, PITTS-  
BURGH, RICHMOND, WFO - (INFORMATION)

B

COVER PAGE

PH 100-51190

An information copy of this report is being furnished each office, which has regularly received past reports in this case.

PHILADELPHIA

At Philadelphia, Pa.

Will follow and promptly report subsequent judicial action in this case.

ADMINISTRATIVE DATA

Ten copies of this report are being furnished to the Bureau since this number of all previous reports has been submitted.

A copy of this report is being furnished the U. S. Attorney, MDPA, since the trial took place at Harrisburg, Pa., in this same judicial district.

An information copy of this report has been placed in the Philadelphia file of each of the defendants in this case so that final judicial action in regard to each of these defendants is duly recorded in their individual case files.

Any recipient who deems it advisable, is requested to xerox a copy of this report for any defendant's individual case file within your office.

C\*

COVER PAGE

B  
D  
UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1-USA, MDPA

Report of: CHARLES A. DURHAM, Jr.  
Date: April 11, 1972

Office: Philadelphia, Pennsylvania

Field Office File #: 100-51190

Bureau File #: 100-460495

Title: EAST COAST CONSPIRACY TO  
SAVE LIVES (ECCSL)Character: INTERNAL SECURITY - NEW LEFT; DESTRUCTION OF  
GOVERNMENT PROPERTY; KIDNAPPING; SABOTAGE -  
CONSPIRACY

## Synopsis:

Jury, on 4/2/72, reached guilty verdict against PHILIP BERRIGAN on Count IV of a ten-count indictment involving him and six other defendants. As of 4/2/72, Jury could not reach an agreement on remaining nine counts of the indictment. On 4/5/72, Jury returned with "no verdict" against any defendant in regard to Count I, Count II, or Count III, but returned verdict of "guilty" against PHILIP BERRIGAN in regard to Counts VI, VIII, and X, while returning verdict of "guilty" against ELIZABETH MC ALISTER in regard to Counts V, VII, and IX. Judge has set no date for sentencing and dismissed Jury on 4/5/72.

-P-

Details: On April 2, 1972, Father PHILIP BERRIGAN, one of the seven defendants in the trial of this case, was found guilty by Jury of Count IV of the ten-count indictment (Introduction of Contraband Charges, Title 18, United States Code, Section 1791, and Title 18, United States Code, Section 2). On this date the Jury could not reach an agreement on the remaining nine counts of this indictment.

On April 5, 1972, the Jury returned the following verdicts in regard to this case:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5  
RTH/jan

PH 100-51190

Count I (Conspiracy): Title 18, United States Code, Section 1361, Section 2071, Section 844 (f), Section 1201;

Title 50 Appendix, United States Code  
Section 462 (a);

Title 26, United States Code, Section  
5861 (d);

EQBAL AHMAD	No Verdict
PHILIP BERRIGAN	No Verdict
ELIZABETH MC ALISTER	No Verdict
NEIL MC LAUGHLIN	No Verdict
ANTHONY SCOBlick	No Verdict
MARY CAIN SCOBlick	No Verdict
JOSEPH WENDEROTH	No Verdict

Count II (Threatening Communication Charges):  
Title 18, United States Code, Sections 876 and 2.

ELIZABETH MC ALISTER	No Verdict
----------------------	------------

Count III (Threatening Communication Charges):  
Title 18, United States Code, Sections 876 and 2.

PHILIP BERRIGAN	No Verdict
-----------------	------------

Count V through Count X (Introduction of Contraband Charges): Title 18, United States Code, Section 1791.

Count V	ELIZABETH MC ALISTER	Guilty
Count VI	PHILIP BERRIGAN	Guilty

PH 100-51190

Count VII	ELIZABETH MC ALISTER	Guilty
Count VIII	PHILIP BERRIGAN	Guilty
Count IX	ELIZABETH MC ALISTER	Guilty
Count X	PHILIP BERRIGAN	Guilty

Judge R. DIXON HERMAN, Trial Judge in this case, has set no date for sentencing and on April 5, 1972, released all defendants on their present bail (with the exception of PHILIP BERRIGAN, who is currently a Federal prisoner as a result of a previous conviction).

It is to be noted that JOHN THEODORE GLICK, who was also named as a defendant in the above indictment, was judiciously severed by Judge HERMAN prior to trial date, to stand trial alone at a later date.

On April 5, 1972, Judge HERMAN dismissed the Jury.



UNITED STATES GOVERNMENT

# Memorandum

418

TO :

DIRECTOR, FBI (90-615)

DATE: 4-6-72

FROM :

SAC, NEW HAVEN (90-39) (C)

EASTCON

SUBJECT:

WORK STOPPAGE AT FEDERAL CORRECTIONAL INSTITUTION (FCI),  
DANBURY, CONNECTICUT  
2-28-72

IRREGULARITIES IN THE FEDERAL PENAL INSTITUTION  
OO: NEW HAVEN

Re: New Haven teletype to Bureau, 2-28-72.

Enclosed to the Bureau are 6 copies of a LHM setting forth  
information re captioned work stoppage and pertinent develop-  
ments.

Inasmuch as no incidents have been reported to the New Haven  
Office which would constitute a violation within Bureau  
jurisdiction and inasmuch as disciplinary action is being  
handled on an administrative basis by officials of the Federal  
Correctional Institution (FCI), Danbury, Conn., no additional  
investigation is being conducted in this matter.

Close personal contact was maintained with officials of the  
FCI during the entire period of the work stoppage by SA [redacted]  
and SA DONALD S. BATT.

b6  
b7C

ORIGINAL FILED IN 90-615-2

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [redacted]

REC-22

100-460495-5558

NOT RECORDED  
26 APR 17 1972

ENCLOSURE

REC-22

ST-112

Dept. (Criminal)  
Bureau Prisons

APR 10 1972

2- Bureau (Enc. 6)  
1- New Haven  
RGO:seb  
(3)

ENCLOSURE

1cc LHM 7  
JCG  
4/14/72

1cc LHM 7  
1cc LHM 7



APR 24 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New Haven, Connecticut

April 6, 1972

In Reply, Please Refer to  
File No. 90-39

WORK STOPPAGE AT FEDERAL CORRECTIONAL  
INSTITUTION (FCI), DANBURY, CONNECTICUT

On February 28, 1972, Warden JOHN J. NORTON, Federal Correctional Institution (FCI), Danbury, Connecticut, advised that at approximately 8:00 a.m. that date, 170 out of 237 inmates who are assigned to work in the industries section of the FCI, refused to report for work. He advised that in addition, a smaller proportion of the remaining 500 inmates who were involved in miscellaneous duties such as kitchen work, maintenance and hospital assignments, refused to report for work and to perform their duties. In order to avoid problems, all inmates who refused to work have been confined to their respective quarters and the prison guard force has been increased by off duty officers in order to maintain security. Warden NORTON advised that to date, the strike has been peaceful and no demands have as yet been presented to prison officials. He advised that he has been in telephonic contact on a continuing basis with officials of the Bureau of Prisons, Washington, D.C.

Warden NORTON advised that information developed by his officers indicates that the principal complaints and demands will center around increased pay for industry work, a change in the type of industry and a better quality of food. In addition, black inmates intend to request that a small group of officers be reprimanded for strip searching a group of two black and two white inmates in search of marijuana over the previous weekend. Officers were suspicious that a group of black entertainers who put on a show for the inmates over the previous weekend had passed marijuana to the above four inmates.

Warden NORTON advised that based on an accumulation of information, the following individuals were believed to be prime instigators of the strike:

ENCLOSURE 100-460495-538

PROPERTY OF THE FBI

This document contains neither  
recommendations nor conclusions of  
the FBI. It is the property of the  
FBI and is loaned to your agency; it  
and its contents are not to be  
distributed outside your agency.

CONN

b6  
b7C

7

On March 3, 1972, Mr. J. J. CLARK, Assistant Director, Bureau of Prisons, was sent from Washington, D.C. to the FCI at the request of Warden NORTON. Warden NORTON advised that by the time Mr. CLARK arrived, 24 inmate representatives had been elected to present the inmates complaints and viewpoints to Mr. CLARK and FCI officials. On that date, the inmates presented a resolution which they requested the Warden to sign, which resolution asked that all men of the institution including the members of the inmates committee associated with the activities and negotiation toward a peaceful work stoppage, were not to be subjected in any way to punitive action, disciplinary proceedings, transfer or other such action.

RE: WORK STOPPAGE AT FCI

On March 4, 1972, Warden NORTON advised the inmate representatives that he intended to take no disciplinary action against those who have done nothing more than fail to report for work up to that time. The only incidents to date were a few minor tray throwing incidents in the dining hall and a mattress fire in one of the dormitories which was quickly extinguished. The warden advised that he had instructed the inmates that should incidents occur in the future or if they were unable to work out a reasonable solution within a reasonable period of time, appropriate action will be taken and individuals would be held accountable. At that point, no actual grievances had been presented in writing to FCI officials, although the officials said that they could not evaluate any grievances unless they were set forth in writing by the inmate representatives. He also offered that those issues which could be resolved locally would be discussed and evaluated and those issues which went beyond the authority of the FCI would be discussed with Assistant Director CLARK and would be referred by him to Washington for full and complete consideration. It was anticipated that those issues would be answered in writing within 30 days.

On March 6, 1972, Warden NORTON advised that he had met with members of the inmate representative committee and at which time the inmate representatives presented Warden NORTON with a written list of inmate grievances. The list of grievances requested 26 particular items, the principal of which are as follows:

Amnesty for those participating in the work stoppage.

Recognition of their committee and procedures relating to the committee.

Minimal starting salary of \$20 per month for jobs outside of industries.

Increased visiting hours and improved conditions during visits.

Changes in disciplinary hearings before the adjustment committee.

Liberalized furlough program.

RE: WORK STOPPAGE AT FCI

Better salaries and vacations for men working in industries.

Disciplinary action against improper conduct by officers.

No discrimination or segregation of homosexuals.

On March 7, 1972, Warden NORTON advised that as of that morning approximately half of the 750 inmates at the FCI returned to their jobs. The remaining inmates were being contacted on an individual basis and as of the end of the day approximately 60 inmates refused to return to work. These 60 inmates were segregated into a separate dormitory and were being interviewed on an individual basis in an effort to encourage them to return to work. As of March 15, 1972, this number had been reduced to 29, all of whom were placed in segregated cells in the intensive treatment unit of the FCI.

The above group was gradually reduced during the period from March 15, 1972, through April 4, 1972, to 8 inmates who adamantly refused to return to work. These 8 inmates are still confined to the intensive treatment unit. They are identified as follows:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b6  
b7C

Warden NORTON advised on March 30, 1972, that he feels the work stoppage was adequately handled by prison officials and that it was not expected that such a stoppage would occur again in the immediate future. Inmate demands have been taken under consideration and as yet no decisions have been made on any of the major changes requested by the inmates.

RE: WORK STOPPAGE AT FCI

Warden NORTON advised that during the course of the work stoppage there were no violations brought to his attention which would come under the jurisdiction of the FBI, and that all disciplinary action against inmates is being handled on an administrative basis by the adjustment committee composed of FCI officers. In addition, guidance has been received from officials of the Bureau of Prisons in Washington, D.C. regarding the disciplinary action to be taken against inmates, particularly those who continue to refuse to return to work. It is noted that most of those who remain in segregation and who refuse to return to work comprise the group which FCI officials felt was originally responsible for encouraging inmates to stop work. Warden NORTON advised that he would immediately contact the FBI should any violations take place within FBI jurisdiction.

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

DATE: 4-14-72

FROM : R. L. Shackelford

1 - Mr. A. Rosen  
1 - Miss Holmes  
1 - Mr. E. S. Miller

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith  
1 - Mr. G. H. Menzel

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Wakert \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

SUBJECT: REQUEST OF DEPUTY ASSISTANT  
ATTORNEY GENERAL WILLIAM S. LYNCH  
AND MEMBERS OF HIS STAFF TO VISIT  
THE DIRECTOR

## PURPOSE:

The Director has agreed to a visit by Deputy Assistant Attorney General William S. Lynch and two members of the Eastcon trial staff at 11:15 a.m., 4-17-72. This is to note a further request of Mr. Lynch that Assistant U.S. Attorney William M. Connelly, Toledo, Ohio, who was Mr. Lynch's first assistant, be allowed to accompany him on the occasion of his visit to the Director's Office.

## DETAILS:

As you were previously advised, Mr. Connelly returned to his assignment in Toledo after the end of the Eastcon trial in Harrisburg, Pennsylvania. On 4-13-72 Mr. Lynch was advised of the scheduled appointment with the Director. He stated that he was pleased and that Messrs. John Philip Krajewski and Paul J. Killion would accompany him. On short notice, Mr. Lynch on 4-13-72 had instructed Mr. Connelly to travel to Washington, D.C., for conferences on 4-17-72. He commented that the purpose of such conferences is to discuss with various Departmental officials numerous post-trial motions which have been filed in the Eastcon case by defense counsel and to participate in Department decision making as to the possibility of a retrial in this matter.

Mr. Lynch advised that he hopes it would be possible for Mr. Connelly to accompany himself and the other two members of the prosecution staff on the occasion of their visit with Mr. Hoover at 11:15 a.m., 4-17-72.

GHM:plm  
(7)

NOT RECORDED  
-170 APR 19 1972

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-5 RST/1425-76

70 APR 20 1972

ORIGINAL FILED IN 77-68298-40

Memorandum to Mr. E. S. Miller  
RE: Request of Deputy Assistant  
Attorney General William S. Lynch  
and Members of his Staff to Visit  
the Director

Mr. Connelly [REDACTED]

[REDACTED] He has been referred to by the  
Cleveland Office as an enthusiastic and aggressive prosecutor  
of Bureau cases. Mr. Connelly met the Director on 2-22-71  
and thereafter the Director stated, "I was impressed with  
Connelly. H."

RECOMMENDATION:

In the event the Director indicates it will be  
satisfactory for Mr. Connelly to accompany Messrs. Lynch,  
Krajewski, and Killion on a visit to the Director's Office  
on 4-17-72, it is requested this memorandum be expeditiously  
returned to the Domestic Intelligence Division in order  
that Mr. Lynch can be so advised.

7/25

GDM

JAS.

R

OK

✓

EM

F/WGC

SD/GCM

DJD  
gdm

Lynch was  
advised 4/14/72  
JAL



Airtel

4-12-72

To: SACs, Albany  
Alexandria  
Baltimore  
Boston  
Buffalo  
Cincinnati  
Cleveland  
Newark  
New Haven  
New York  
Philadelphia  
Pittsburgh  
WFO

PERSONAL ATTENTION

1 - Mr. A. Rosen  
1 - Mr. J. P. Mohr  
1 - Mr. T. E. Bishop  
1 - Mr. C. W. Bates  
1 - Mr. N. P. Callahan  
1 - Mr. W. V. Cleveland  
1 - Mr. J. K. Ponder  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

From: Director, FBI

POTENTIAL ACTIONS AGAINST GOVERNMENT  
INSTALLATIONS BY SUPPORTERS OF BERRIGAN GROUP  
IS - NL

ReButel 2-11-72 captioned "Eastcon, Security of Resident  
Agency (RA) Space."

Rotel noted the experience in Eastcon case had shown that each prosecutive step taken by the Government was met with a corresponding counteraction against Government installations, including our RAs, by individuals sympathetic to the Eastcon defendants. Each recipient was reminded of the established willingness and capability of Berrigan supporters to strike at the Government and was instructed to take whatever steps deemed necessary to insure security of RA space and to be aware of the whereabouts of participants in past actions against draft boards and RAs. These instructions were in anticipation of a spectacular action or break-in during the Eastcon trial.

1 - 100-460495 (Eastcon)  
1 - 100-448675 (Eqbal Ahmad)

FBG:plm  
(39)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5

SEE NOTE PAGE TWO

NOT RECORDED  
178 APR 20 1972

100-0-43529  
ORIGINAL FILED IN

55 APR 21 1972

DUPLICATE YELLOW

Airtel to Albany, et al

RE: Potential Actions Against Government  
Installations by Supporters of Berrigan Group

Over the weekend of 3/25-26/72, 313 casings for 500 pound bombs manufactured by the American Machine and Foundry (AMF) Company, York, Pennsylvania, were damaged by a group referring to itself as the "Citizens Committee to Demilitarize Industry." This group claimed association with the "Citizens Commission to Investigate the FBI," which claimed responsibility for the break-in of the Media, Pennsylvania, RA.

Following the verdict in the Eastcon trial, one of the defendants, Egbal Ahmad, participated in an antiwar demonstration at York, Pennsylvania, in which he stated, "I do promise you that if this war goes on, and if there is no accountability on the part of public officials, then papers will have to be destroyed, buildings will have to be broken, draft boards will have to continue to be raided, and discussions about citizen arrests of officials whom we consider guilty or, at the very least deserving of trial for crimes against humanity, will continue to take place." In view of Ahmad's statements and the sabotage at the AMF plant, it must be assumed that adherents of the Berrigan group will again take direct action against the Government under excuse of protesting the Vietnam war or possibly such an issue as social injustice. Recognizing the potential threat these people represent, each recipient should immediately review conditions in your respective divisions relative to this situation and take steps to meet or prevent possible actions against the Government. Advance notice of such actions should be a primary objective in your considerations.

NOTE:

See memorandum R. L. Shackelford to E. S. Miller dated 4-11-72, captioned as above, and prepared by FBG:plm.

1 - Mr. A. Rosen  
1 - Mr. J. P. Mohr  
1 - Mr. T. E. Bishop

4-11-72

Mr. E. S. Miller

R. L. Shackelford

1 - Mr. C. W. Bates  
1 - Mr. N. P. Callahan  
1 - Mr. W. V. Cleveland  
1 - Mr. J. K. Ponder  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

POTENTIAL ACTIONS AGAINST  
GOVERNMENT INSTALLATIONS BY  
SUPPORTERS OF BERRIGAN GROUP  
INTERNAL SECURITY - NEW LEFT

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature] 142

PURPOSE:

This is to advise appropriate Northeastern field offices are again being reminded of the threat to Government installations as posed by followers of the Berrigan group.

DETAILS:

Throughout the Eastcon investigation, we noted that each prosecutive step leading to trial was met with a corresponding retaliation against the Government in the form of raids on draft boards, FBI Resident Agencies, or private industry supplying defense needs by individuals associated in some way with the defendants or their sympathizers. We also noted during this time the ridiculous attitude of the news media in presenting the actions and attitudes of these people as favorably as possible and at the same time downgrading attempts of the Government to bring them to justice.

A shameful example of the bias of the press in this regard is the ridicule heaped upon the Government by "The New York Times" in an editorial on 4-7-72. "The New York Times" went to extremes and completely ignored the facts in referring to the Government's case as "feeble" and "thoroughly discredited."

The logic of "The New York Times" editorial was promptly contradicted by another absurdity of the press in the treatment given to statements by Eastcon defendant Eqbal Ahmad. On the day of the verdict, Ahmad was quoted as saying, "My plans are to get out of here as soon as I can and to get into the

Enclosure

FBG:plm  
(13)

1 - 100-460495 (Eastcon)  
1 - 100-448675 (Eqbal Ahmad)

100-460495-  
NOT RECORDED  
178 APR 20 1972  
CONTINUED - OVER

70 APR 25 1972

ORIGINAL FILED IN 100-6-43530

Memorandum to Mr. E. S. Miller  
RE: Potential Actions Against  
Government Installations by  
Supporters of Berrigan Group

streets to protest the war in Vietnam." He then noted he intended to demonstrate at the York, Pennsylvania, plant of the American Machine and Foundry (AMF) Company on 4-6-72. This plant was the scene of extensive sabotage to bomb casings on 3-26-72, probably by individuals sympathetic to the Berrigan group, which is under intensive investigation by the Philadelphia Office. Ahmad attended the demonstration and arrogantly continued his revolutionary mouthings by stating, "I do promise you that if this war goes on, and if there is no accountability on the part of public officials, then papers will have to be destroyed, buildings will have to be broken, draft boards will have to continue to be raided, and discussions about citizen arrests of officials whom we consider guilty or, at the very least deserving of trial for crimes against humanity, will continue to take place." While the press gave ample space to this contemptuous outpouring, absolutely no mention was made that conspiracy to commit such acts is precisely what Ahmad was on trial for in Harrisburg.

On 2-11-72, we reminded appropriate Northeastern field offices of the potential threat represented by Berrigan supporters as evidenced by their established willingness and capability to strike at the Government. In view of Ahmad's remark and the AMF hit, it is again time to remind the field of this threat. An airtel to this effect is attached directed to the Albany, Alexandria, Baltimore, Boston, Buffalo, Cincinnati, Cleveland, Newark, New Haven, New York, Philadelphia, Pittsburgh, and Washington Field Offices.

ACTION:

With your approval, the attached airtel will be sent.

NR004 WF CODED

5:08PM NITEL 4-10-72 SW

TO DIRECTOR

PHILADELPHIA

BALTIMORE

FROM WASHINGTON FIELD TWO PAGES

~~CONFIDENTIAL~~

UNKNOWN SUBJECTS; DAMAGE TO APPROXIMATELY THREE HUNDRED AND  
THIRTEEN BOMB CASINGS, MODEL MK EIGHT TWO, AMF, INC., YORK,  
PENNSYLVANIA, MARCH TWENTYSIX, SEVENTYTWO, SABOTAGE; <sup>DGP</sup>  
PHILADELPHIA 9812534, WFO 98-625.

EASTCON (DEMONSTRATIONS), BUREAU FILE 100-460495,  
BALTIMORE 100-28265, PHILADELPHIA 100-51190 SUB. L, WFO  
100-52299 SUB E.

CLASS. & EXT. BY SP-5 RJS/...  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 4-10-82

b6  
b7C

[REDACTED] MISCELLANEOUS DASH INFO CONCERNING  
MEDBURG SUSPECT; PHILADELPHIA 100-51917, WFO 100-52927.

RE PHILADELPHIA TELETYPE TO DIRECTOR AND WFO APRIL NINE  
SEVENTYTWO, WITH ABOVE UNKNOWN SUBJECT CAPTION. PHILADELPHIA  
LET TO WFO (IO) MARCH THIRTYONE, SEVENTYTWO WITH [REDACTED]  
CAPTION. BALTIMORE AIRTEL TO DIRECTOR, MARCH TWENTYTHREE,  
SEVENTYTWO, CAPTIONED QUOTE HARRISBURG DEFENSE COMMITTEE,  
IS DASH NL, EASTCON (DEMONSTRATIONS) UNQUOTE.

APR 19 1972

FROM PHOTOGRAPHS ENCLOSED WITH RE BALTIMORE AIRTEL

b2  
b7D

END PAGE ONE

[REDACTED] IDENTIFIED THE

APR 25 1972

~~CONFIDENTIAL~~

100-460495-  
NOT RECORDED  
APR 20 1972  
ADVISED BY ROUTING  
SLIP(S) OF  
DATE 7-22-80

ORIGINAL FILED IN 98-460495-21

PAGE TWO

~~CONFIDENTIAL~~

b6  
b7C

FOLLOWING INDIVIDUALS: [REDACTED]

[REDACTED]

[REDACTED]

~~(S)~~ (U)

IDENTIFIED PHOTOS WILL BE FURNISHED BALTIMORE AND PHILADELPHIA BY SEPARATE COMMUNICATION.

REGARDING [REDACTED] SOURCE HAS NO ADDITIONAL PERTINENT INFORMATION SINCE CONTACTED AT HARRISBURG, PENNSYLVANIA, MARCH THIRTY, SEVENTYTWO.

[REDACTED] ADVISED THAT TO HIS KNOWLEDGE NO DEFINITE ARRANGEMENTS HAD BEEN MADE TO MEET WITH PHILADELPHIA SPECIAL AGENTS WEEKEND OF APRIL EIGHT AND NINE, SEVENTYTWO. SHOULD PHILADELPHIA CONSIDER IT DESIRABLE TO MEET WITH SOURCE, WFO WILL REQUEST BUREAU PERMISSION FOR SOURCE'S TRAVEL TO HARRISBURG. PHILADELPHIA ADVISE. ~~(S)~~ (U)

END

b2  
b7D

SVC FBI WASH DC

CLR

cc [REDACTED]

~~CONFIDENTIAL~~

b6  
b7C

007 BS CODE

557 PM NITEL 4-7-72 WEY

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

TO DIRECTOR (ATT: DOMINTEL)

APR 7 1972

PHILADELPHIA

TELETYPE

FROM BOSTON (100-41679)

[REDACTED] SM-SUBVERSIVE.

EASTCON.

AT FOUR PM FOUR SEVEN SEVENTYTWO, [REDACTED]

[REDACTED] CALAIS MAINE ADVISED THAT [REDACTED]

[REDACTED] HAD ENTERED THE U.S. AT CALAIS AS A PASSENGER

IN A NINETEEN SIXTYNINE DATSUN FOUR DOOR SEDAN BEARING

MAINE REGISTRATION SIX TWO FOUR DASH FIVE EIGHT FIVE. [REDACTED]

INDICATED HE WAS DESTINED TO [REDACTED]

MAINE.

OTHER OCCUPANTS OF DATSUN WERE [REDACTED] OF ORRINGTON

MAINE, [REDACTED]

MAINE AND [REDACTED] OF CANADA.

RECORDS OF MAINE MOTOR VEHICLE BUREAU REFLECT MAINE REGISTRATION  
PLATE SIX TWO FOUR FIVE EIGHT FIVE ISSUED THREE THREE SEVENTYTWO

TO [REDACTED] DOB [REDACTED] RESIDING  
AT [REDACTED].

BOSTON WILL VERIFY SUBJECTS RESIDENCE, DETERMINE EMPLOYMENT AND  
SUBMIT FD ONE TWO TWO.

END

ACK FOR ONE

DWH FBI WASH DC

CLR

CE W.S. LYNCH

15D 4/10/72 - ADM DATA DELETED

NOT RECORDED

43 APR 19 1972

70 APR 24 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RUP/ML

ORIGINAL FILED IN

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI (100-460495)  
(Attn.: Domestic Intelligence Division)

DATE: 4/14/72

FROM : SAC, PHILADELPHIA (100-51190) (Sub J)

SUBJECT: EASTCON

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 NTH/ML

The Bureau's attention is invited to the fact that the below-named individuals were the recipients of judicial action in [redacted] in regard to their respective appearances before the Federal Grand Jury sitting at [redacted] prior to the EASTCON trial:

NAME	SUBPOENA SERVED	APPEARANCE BEFORE FGJ	IMMUNITY GRANTED	FGJ APPEARANCE AFTER IMMUNITY	DISPOSITION b3 Rule 6(e)
------	--------------------	--------------------------	---------------------	--	-----------------------------

--	--	--	--	--	--

*Revised: place in individual list  
manipulated of each individual*

- ② - Bureau (100-460495) (RM)
- 1 - Philadelphia (100-51190)

3 APR 20 1972

CAD:eco  
(3) APR 24 1972

7 APR 25 1972 U.S. Savings Bonds Regularly on the Payroll Savings Plan



5010-108-01

EXP. PROC.

100-460495-55523

100-463065  
100-466905  
100-465267

UNRECORDED COPY FILED IN



PH 100-51190

NAME	SUBPOENA SERVED	APPEARANCE BEFORE FGJ	IMMUNITY GRANTED	FGJ APPEARANCE AFTER IMMUNITY	DISPOSITION
------	--------------------	--------------------------	---------------------	--	-------------

b3 Rule 6(e)

The above information is being submitted in the event the Bureau desires to bring this to the attention of the Department of Justice for whatever further action is contemplated by the Department concerning these individual matters,

F B I

Date: 4/6/72

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via A I R T E L \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI  
ATTENTION: DOMESTIC INTELLIGENCE DIVISION

FROM: SAC, PHILADELPHIA (67-367)

SUBJECT: EASTCON (RECOMMENDED RECOGNITION)

On 4/5/72, jury at Harrisburg returned guilty verdict on seven counts of a ten-count indictment. Mistrial (deadlock) declared for remaining three counts. This is culmination of 19 months of intense and unremitting labor for many employees in this division. No recognition of any sort has been approved.

On morning of 4/6/72, Chief Prosecutor WILLIAM LYNCH referred to the overall investigation, reporting, collation, analysis, staff research, and case administration of Philadelphia employees. He described this performance as "superb, outstanding," and "very highest order of magnetude" and "could not have been better."

Because of the immense overall effort a general letter of commendation is suggested which can be distributed to personnel folders of appropriate personnel.

Because of their exceptional individual contributions, individual letters of commendation are recommended for:

✓ Special Agent [redacted]

10 APR 21 1972

Was responsible for maintenance and handling of all physical evidence, laboratory reports, and their

2-Bureau  
1-Philadelphia (67-367)

JDJ:btp  
(3)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-84 BY SP-5 [redacted]

b6  
b7C

Approved: [Signature]  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

corelation. Personally assisted Departmental Attorneys in turn-over of evidence in compliance with inspection and discovery court order. Handled the transcription of all recorded material in this case. Was at Harrisburg during entire trial period, January through April, 1972, where he continued safe-keeping and corelation of physical evidence as well as corelation, contact, and liaison with about 75 government witnesses. During this entire period [ ] worked long, hard hours at night and on weekends to insure smooth trial proceedings.

Special Agent [ ]:

Is resident agent at Harrisburg. During the period January through April, 1972, he had the responsibility for liaison with all outside agencies to insure undisturbed and orderly proceedings outside the courtroom. He worked with officials of the General Services Administration, the U. S. Marshal's Office, the Federal Protective Service, the United States Attorney's Office, Pennsylvania State Police, Dauphin County District Attorney's Office, Harrisburg Police Department, and the Dauphin County Prison. In addition he worked with the various military intelligence agencies in this area. He arranged appropriate coverage of all demonstrations in the greater Harrisburg area, general security of the Federal Building at Harrisburg, and maintained contact with local and visiting informants. [ ] outstanding work insured a smooth, effective profile preventing violence and keeping disturbances from the critical trial proceedings.

Special Agent [ ]:

[ ] is relief supervisor, Squad Number 4. He was responsible for the investigation phase relating to the "Camp David Farm" during the entire period. During the period May through August, 1971, he acted as coordinator of all phases of Eastcon at Philadelphia, while squad supervisor was on special assignment. [ ] exercised excellent judgment, fidelity, and interest in the many day-to-day decisions required during that period.

Special Agent JOHN J. MURRAY:

Served at Harrisburg trial office during entire period January through April, 1972. His principal duty was preparation and transmission of 210 teletypes which kept the

PH 67-367

Bureau advised on an instantaneous basis of all pertinent developments. He also was responsible for the various administrative details in operations of the Harrisburg trial office, including files, personnel scheduling, and daily conferences and reviews among prosecution staff and FBI personnel. He worked unremitting and long hours to insure the smooth functioning of this trial.

✓ Clerk [redacted]:

b6  
b7C

[redacted] is the rotor clerk for Squad Number 4. She handled all serials and all evidence within her duties in an outstanding and meticulous fashion. She kept the main and various sub files up to date on a daily basis so that all facts were immediately available. A measure of the tremendous tasks she performed is the fact there are now 10,542 serials in the Eastcon file as of this teletype. She did this alone, frequently contributing voluntary and uncompensated overtime.

Following three Special Agents made such remarkable contributions that substantial incentive awards are recommended for them:

✓ Special Agent CHARLES DURHAM:

Has been the case agent during entire period, September, 1970, to date. During this period DURHAM prepared 31 reports totaling approximately 3,000 pages. These reports (the initial report was about 300 pages) have been meticulous, well-organized, always well ahead of schedule, and have stood the extreme test of intense hostile defense scrutiny. At the same time, DURHAM has reviewed, handled, and analyzed each of over 10,500 serials in the Philadelphia file of this matter. He has cheerfully contributed substantial overtime at night and on weekends to insure the smooth accomplishment and the objective in this prosecution.

Special Agent [redacted] 29

b6  
b7C  
b7D

Is now Resident Agent at Williamsport, Pa., formerly at closed Lewisburg Resident Agency. He handled [redacted] from the beginning to the present in this case. His calm, orderly, common sense approach made it possible to secure an immense volume of extremely valuable

PH 67-367

information from this source under the most difficult and trying of circumstances. During most of the critical period

[REDACTED]

[REDACTED] During trial [REDACTED] testified for three days. Most of this was extremely hostile, destructive cross examination by six defense counsels. He withstood these attacks in superb fashion, reflecting the very highest order of fairness, honesty, objectivity, and professional stature. Chief Prosecutor LYNCH described his demeanor during testimony as the very model of what a professional law enforcement officer should attain.

b6  
b7C  
b7D

Special Agent [REDACTED]:

Supervised this matter from September, 1970, to date. [REDACTED] has been key person responsible for overall assembly of evidence and prosecution in this case. He assigned various phases essential to prosecution and saw that they were fully and completely handled. His unremitting effort in this regard reflected in his voluntary loss of two weeks annual leave, end of 1970, so he could personally direct every important detail.

b6  
b7C

[REDACTED]

b3 Rule 6(e)

[REDACTED] He directed field trial preparation and served at Harrisburg trial office entire period January through April, 1972. His grasp of all facts and the investigation and prosecution therefrom has been central to the success attained in this matter.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 19 1972

TELETYPE

NR021 BS CODE

11:19 PM NITEL 4-19-72 WFY

TO DIRECTOR (100-457953) (ATTN: DOMINTEL)

PHILADELPHIA (100-53102)

FROM BOSTON (100-41679) (-IP-)

SM- SUBVERSIVE.

EASTCON.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5

RE BOSTON NITEL APRIL SEVEN LAST.

INVESTIGATION AT BOSTON HAS DETERMINED THAT SUBJECT  
HAS RETURNED TO CANADA AND IS CURRENTLY WORKING AT THE YOUTH  
EMPLOYMENT SERVICE, FIVE NINE SEVEN ZERO UNIVERSITY AVENUE,  
HALIFAX, NOVA SCOTIA.

THE VISIT OF [REDACTED] TO BANGOR, MAINE, AREA ON APRIL  
SEVEN LAST WAS ONLY FOR A SHORT PERIOD AND IT APPEARS  
NOW THAT HE INTENDS TO PERMANENTLY RESIDE IN NOVA SCOTIA.

END

JDJ FBI WASH DC CLR

100-460495-

NOT RECORDED

28 APR 26 1972

ICC W.S. LYNCH  
Dep't of Justice, ASD

4/24/72

20 APR 25 1972

54 APR 28 1972  
RJG

ORIGINAL FILED IN 100-457953-18

4/15/72

A I R T E L

TO: DIRECTOR, FBI (100-45798)  
FROM: SAC, NEW HAVEN (62-2587) (P)  
SUBJECT: JOHN THEODORE GLICK  
SM - NEW LEFT  
(EASTCON)

Enclosed for the Bureau are 10 copies of an LHM re instant case.

New Haven had no previous knowledge of the appearance of the subject in Hartford, Conn., until the attached item appeared in the "Hartford Courant", a daily newspaper, on page 14, dated 4/13/72.

As noted in the clipping, the subject appeared the evening of 4/12/72.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 BSW/mr  
100-460495-1

- ② - Bureau (Enc. 10) (RM)  
(1 - 100-45798)  
(1 - 100-460495) (EASTCON)  
4 - Philadelphia (Enc. 4) (RM)  
(2 - 100-51305) (GLICK)  
(2 - 100-51190) (EASTCON)  
3 - New Haven  
(2 - 62-2587)  
(1 - 100-20708) (EASTCON)

JAD:alv  
(9)

NOT RECORDED  
49 APR 20 1972

7 APR 25 1972

ORIGINAL FILED IN 100-45798-25



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

JOHN THEODORE GLICK

The "Hartford Courant", a daily newspaper printed in Hartford, Connecticut, under the date of April 13, 1972, on page 14, carried the following item concerning subject's appearance at the Hartford Seminary Foundation on April 12, 1972:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA/140

PROPERTY OF THE FBI

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

100 - 460495 -



But

# 'Harrisburg 7's' Glick Still Loves His Country,

By LAURENCE COHEN

He was an award-winning Boy Scout, a high school and college athlete and all-in-all, "a very normal American."

Now Theodore Glick is a political activist, and he stands accused in Harrisburg, Pa. of conspiring to disrupt the federal government.

The 22-year old veteran of the

"peace movement" spoke to Hartford Seminary Foundation audience Wednesday night on the transformation he underwent, and the issues of war and peace in the United States.

In an interview Wednesday, Glick said his "Harrisburg 7" case was separated from the other defendants, including the Rev. Philip Berrigan, because he insisted on being his own attorney.

After his Hartford speech, he said he would return to Harrisburg, where his case is still pending.

While the Harrisburg defendants chose not to present a case for themselves, Glick says he will probably not choose to remain silent.

"I don't think I would do that myself," he explained, but I see real value in it."

The press reported the Harrisburg jurors deadlocked on a 10

to 2 vote for acquittal on the most serious charges, and Glick believes the jurors "saw the truth."

"No one expected the vote to be what it was," he said. "We had less faith in people than we should have."

Glick spent 11 months in Danbury Federal Prison after his conviction on charges of disrupting Selective Service offices in Rochester, N.Y.

"I don't believe the courtroom is a system of justice at all," he says. Glick says the courts maintain a system of laws that are "very unequal and unjust."

Glick describes most of the people he met in prison as "victims of the system," that is, poor persons who stole because they were poor.

College campuses are quiet, Glick says, but student activism is far from dead.

He said the stink-bombing of

U.S. armed forces offices in Hartford Wednesday "was a good idea — right to the point."

He said young activists "have been doing a lot more studying and thinking, but there's no lack of concern."

Glick was a student for two years at Grinnell College in Iowa, before dropping out at age 19 to devote himself to the peace movement.

"It was the war," he explains. "I came to see how the war was a result of corporate capitalism."

Glick once won the Boy Scout's "God and Country" award, and the former football player and wrestler doesn't think he loves his country any less now than he did then.

"The peace movement is deficient in many areas," says Glick, "but that stuff is changing. Human, decent people are creating it."



THEODORE GLICK

Airtel

4-19-72

To: SAC, Philadelphia (67-367)

From: Director, FBI (100-460495) *5561*  
*ST-116 REC-33*  
EASTCON (RECOMMENDED RECOGNITION)

1 - Mr. N. P. Callahan  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

b6  
b7C

Reurairtel 4-6-72.

The recommendations set forth in reairtel have been carefully considered. However, no action in this connection is being taken at this time.

FBG:plm  
(6) *plm*

NOTE:

Eastcon trial concluded with a hung jury as to the conspiracy count and the two threatening communication counts. Guilty verdicts were rendered against Philip Berrigan and Elizabeth McAlister on four and three counts, respectively, regarding contraband. Inasmuch as no decision has been made by the Department as to retrial of the conspiracy and threatening letter counts and in view of pending post-trial motions, it is not felt the awards or commendations recommended by Philadelphia are warranted at this time.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE *7-15-80* BY *SP-5 RJW/pwr*

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

MAILED 5  
APR 19 1972  
FBI

*APR 27 1972*  
MAIL ROOM ☒

TELETYPE UNIT ☐

*JAS*

*RLS*

*7/6*

UNITED STATES GOVERNMENT

## Memorandum

TO : Mr. Tolson

DATE: 4/17/72

FROM : D. J. Dalbey

SUBJECT: EQBAL AHMAD, et al. v. U.S.  
"EAST COAST CONSPIRACY  
TO SAVE LIVES"ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA  
(EASTCON)Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Walkart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Hynes \_\_\_\_\_  
Gandy \_\_\_\_\_

In this case, which is the Berrigan case, at 4:00 p.m. on Monday, 4/17/72, one Mark Gold, who said he is from Ramsey Clark's office at 1775 K Street, N.W., Washington, D. C., came to Office of Legal Counsel and left a subpoena for the Director to appear at the Federal Court House in Harrisburg, Pennsylvania, at 10:00 a.m. on May 2, 1972, and to bring with him certain documents. Gold said that this subpoena is issued for the post-conviction hearing in the case. The subpoena states that it will not be necessary for the Director to appear personally if the documents called for are produced and certified as being those which will answer the subpoena. S

The documents called for cover broadly any memoranda, letters, notes or other communications relating to the decision to initiate or continue the investigation in the Berrigan case, or to seek the indictments, and any and all logs, records, transcripts, memoranda, etc., of any wire-tapping, bugging, electronic or similar surveillance. A copy of the subpoena is attached.

This subpoena must be sent immediately to the Assistant Attorney General, Internal Security Division. A letter for that purpose, attaching the original of the subpoena, is attached.

RECOMMENDATION:

That attached letter be sent to the Assistant Attorney General, Internal Security Division.

Enc. sent 4-18-72

1 - Mr. Rosen  
1 - Mr. Mohr  
1 - Mr. Bates 1 - Mr. Miller  
1 - Mr. Bishop 1 - Mr. Dalbey  
1 - Mr. CallahanREC-31  
EX-114

100-460495-5562

OK

10 APR 18 1972

DJD:mfd (8)

ENCLOSURE  
3 ENCLOSURE

53 APR 26 1972

NEW LEFT

5-11-815

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RAB/142



331

100-460495-5562

ENCLOSURE

## United States District Court

FOR THE

MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

EQBAL AHMAD, et al

Crim.  
No. 14950

To J. EDGAR HOOVER  
Director  
Federal Bureau of Investigation  
Washington, D. C.

You are hereby commanded to appear in the United States District Court for the Middle

District of Pennsylvania at the Federal Building in the city of  
Harrisburg on the 2nd day of May 1972 at 10:00 o'clock A. M.

to testify in the case of United States v. Egbal Ahmad, et al and bring with you  
the documents listed in Schedules A and B attached hereto.

It will not be necessary for you to appear personally if the documents are produced at the above-stated time and place and are properly certified as official records pursuant to Rule 27 of the Federal Rules of Criminal Procedure, or if the attorney for the United States in the above-captioned case will stipulate that the documents so produced are authentic and are kept in the regular course of business of the Federal Bureau of Investigation, whose regular course of business it is to keep such documents.

This subpoena is issued upon application of the defendants Philip Berrigan and Elizabeth McAlister.

April 17, 1972

*J. Thomas Menaker*  
Attorney for Defendants

J. THOMAS MENAKER

Address P. O. Box 1105  
Harrisburg, Pa. 17103

W. H. CAMPION

By

*Sean J. Edwards*  
Clerk.  
Deputy Clerk.

<sup>1</sup> Insert "United States," or "defendant" as the case may be.

## RETURN

Received this subpoena at \_\_\_\_\_ on \_\_\_\_\_  
and on \_\_\_\_\_ at \_\_\_\_\_  
served it on the within named \_\_\_\_\_  
by delivering a copy to \_\_\_\_\_ and tendering to \_\_\_\_\_  
the fee for one day's attendance and the mileage allowed by law.<sup>2</sup>

Dated: \_\_\_\_\_

\_\_\_\_\_, 19 \_\_\_\_\_

Service Fees

Travel \_\_\_\_\_\$

Services \_\_\_\_\_\$

Total \_\_\_\_\_\$

<sup>2</sup> Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules Criminal Procedure).

# SCHEDULE A

1. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, relating to the decision to initiate and/or continue the investigation of the so-called "East Coast Conspiracy to Save Lives" or the actions of Egbal Ahmad, Philip Berrigan, John Theodore Glick, Elizabeth McAlister, Neil McLaughlin, Anthony Scoblick, Mary Cain Scoblick, Joseph Wenderoth, Beverly Bell, William Davidon, Jogues Egan and/or Marjorie Shuman.

2. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, relating to the decisions to seek the indictments ultimately returned by the grand jury and filed in the United States District Court for the Middle District of Pennsylvania as criminal indictments nos. 14886 and 14950.

## SCHEDULE B

1. Any and all logs, records, transcripts, memoranda or other reproduction of any wiretapping, bugging, electronic or similar surveillance:

a) of any wire or oral communications to which any defendant in Crim. No. 14950 (M.D.Pa.) was a party;

b) of any wire or oral communications of anyone located at the home or principal place of residence, whether permanent or temporary, of any defendant in Crim. No. 14950 (M.D.Pa.);

c) of any wire or oral communications of anyone located at any place listed in Exhibit "A" to the "Motion for Disclosure of Electronic or Other Surveillance" filed by the defendants in Crim. No. 14886 (M.D.Pa.) on April 1, 1971 and adopted in its entirety by the defendants in Crim. No. 14950 (M.D.Pa.) in a "Motion for Disclosure of Electronic Surveillance" filed May 19, 1971;

d) of any wire or oral communications of anyone located at any place listed in the exhibit to the "Motion for Disclosure of Electronic Surveillance" filed by the defendants on May 19, 1971 in Crim. No. 14950 (M.D.Pa.);

e) of any wire or oral communications of anyone placed under surveillance for the purpose, in whole or in part, in gathering evidence or leads

against any defendant in Crim. No. 14950, i.e.,  
directed against any such defendants;

f) of any wire or oral communications of anyone  
located at any place where any defendant in Crim.  
No. 14950 was present at the time of the surveillance;

g) of any wire or oral communications to which  
an un-indicted co-conspirator in Crim. No. 14950  
(M.D.Pa.) was a party.

2. Any and all logs, records, transcripts, and memor-  
anda or other reproductions of any wiretapping, bugging,  
electronic or similar surveillance:

a) of any wire or oral communications to which  
any present or former attorney for defendants  
in Crim. No. 14950, or agent or employee of  
said attorneys, was a party;

b) of any wire or oral communications which  
occurred in the presence of any present or  
former attorney for defendants in Crim. No.  
14950, or agent or employee of said attorneys.

3. Any and all logs, memoranda or records of any  
electronic or other surveillance of wire or oral communi-  
cation which reveal the existence of a conversation described  
in paragraphs 1 and 2, although not the contents thereof.

4. The original tape, wire, or other mechanical re-  
cording of any conversation described in paragraphs 1 and 2.



EX-114

April 13, 1972

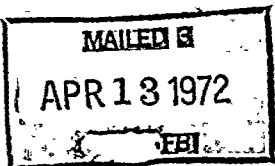
REC 99 / 100-460495-5563

Honorable R. Dixon Herman  
United States District Court  
Box 829  
Federal Building  
Harrisburg, Pennsylvania 17108

My dear Judge:

I have received your letter of April 7th regarding the assistance Special Agent [redacted] and other of my associates were privileged to give to your staff and you. It was most thoughtful of you to write as you did and you may be sure they share my appreciation for your kind remarks. Communications such as yours mean a great deal to us and we do hope our endeavors continue to merit your confidence.

Sincerely yours,  
J. Edgar Hoover



ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

1 - Philadelphia - Enclosure

Personal Attention SAC: Bring to the attention of SA [redacted] and appropriate personnel.

1 - [redacted] - Enclosure

Personal Attention: Bring to the attention of appropriate personnel.

1 - Personnel File of SA [redacted] - Enclosure

NOTE: Bufiles indicate nothing unfavorable regarding Judge Herman who was the subject of a favorable Departmental Applicant investigation in 1969 and is on the mailing list to receive the Uniform Crime Reports bulletin. Address per [redacted]. His communication refers to the trial of Father Berrigan, et al.

MAIL ROOM [redacted] TELETYPE UNIT [redacted]

77-109220

COPIES FILED IN

RECORDED

JJH

13

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA  
HARRISBURG, PA. 17108

R. DIXON HERMAN  
JUDGE

April 7, 1972

Mr. Tolson ☒  
Mr. Felt ☒  
Mr. Campbell ☒  
Mr. Rosen ☒  
Mr. Mohr ☒  
Mr. Bishop ☒  
Mr. Miller ☒  
Mr. Callahan ☒  
Mr. Casper ☒  
Mr. Conrad ☒  
Mr. DeLoach ☒  
Mr. Cleveland ☒  
Mr. Ponder ☒  
Mr. Bates ☒  
Mr. Wickert ☒  
Mr. Walters ☒  
Mr. Sears ☒  
Tele. Room ☒ b6  
Miss Holmes ☒ b7C  
Miss Gandy ☒

J. Edgar Hoover, Director  
Federal Bureau of Investigation  
Department of Justice  
Tenth and Constitution Avenue  
Washington, D.C. 20530

Dear Sir:

RE EASTCON  
EASTCON

I want to extend to you the thanks of  
this court and of my staff for the assignment  
of personnel from your Bureau to assist in the  
work involved with the trial of the case just  
completed.

I especially want to tell you that I  
commend   whose efforts  
worked to the benefit of all.

Very truly yours,

*R. Dixon Herman*  
R. Dixon Herman

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RTH/mr

EX-114

REC 99

100-460495-5563

6 APR 10 1972

CORRESPONDENCE

UNRECORDED COPY FILED IN

77-109220

ack  
4-13-72  
JH:mom

APR 21 1972

omf

DECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE  
DATE 01-10-2011

~~CONFIDENTIAL~~

FBI

Date: 4-18-72

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via Airtel VIA COURIER~~SECRET~~

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF  
DATE 7-22-80 class

To: Director, FBI (100-460495)

From: Legat, Ottawa (100-1873) (P)

Subject: EASTCON

CLASS. & EXT. BY SP-5 RHM/UN  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 4-18-2002

Re Ottawa cable 3-14-72.

Enclosed are three copies of [ ] report dated  
4-6-72, and the original and two copies of [ ] letter  
dated 4-13-72. (u)

b7D

Glassified by 2040  
Exempt from GDS, Category 1  
Date of Declassification Indefinite

- 4 - Bureau (Enc. 6)  
1 cc - Foreign Liaison Desk Direct  
1 cc - Philadelphia (100-51190)  
1 - OTT  
MLI:jhc  
(5)

1cc + encle 932-D

each  
Copy to PH  
by routing slip for

☒ Info ☐ action

date 4/24/72  
by FBI:dlk

EX-109

100-460495-5564

10 APR 20 1972

"confidential material  
attached."

~~CONFIDENTIAL~~~~SECRET~~

Approved: \_\_\_\_\_

60 APR 27 1972

Special Agent in Charge

Sent \_\_\_\_\_

Per \_\_\_\_\_

Airtel

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

4-24-72

To: SAC, Baltimore (100-27708)

From: Director, FBI (100-460495)

EASTCON

SM - NL." ReBAairtel 4-10-72 captioned [redacted]

aka, b6  
b7c

Baltimore should submit information contained on page one, paragraph four, and at the top of page two of reairtel in form suitable for dissemination under the appropriate caption. This information should be submitted not only to the Bureau but also to recipients of Buairtel 4-12-72 captioned "Potential Actions Against Government Installations by Supporters of Berrigan Group."

1 - Philadelphia (100-51190)

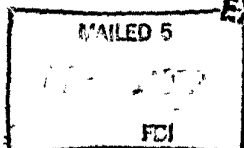
FBG:plm  
(6)

NOTE:

"ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5

Reairtel concerning [redacted] contained information from Baltimore source to the effect that there will be additional nonviolent protests against U.S. presence in military capacity in South Vietnam and that members of Harrisburg Defense Committee in Baltimore feel assured criminal process for engaging in such activity will no longer be taken by various law enforcement agencies in view of outcome of Harrisburg trial. In the airtel 4-11-72 we alerted appropriate Northeast offices to the sabotage at the York, Pennsylvania, plant of American Machine and Foundry Company on 4-6-72 and public statements by Eastcon defendant Egbal Ahmad to the effect that actions against the Government will continue to be taken if the war continues. Above instructions necessary to assure proper dissemination of the information from the Baltimore source.

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_



100-460495-5565

19 APR 24 1972

191  
53 APR 27 1972

MAIL ROOM ☒ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bishop *EB*

DATE: 4/19/72

FROM : G. E. Malmfeldt *Gene*

SUBJECT:

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

*East Con*

The purpose of this memorandum is to recommend no acknowledgment to a letter dated 4/13/72 from captioned individual.

In his letter he states "I am ashamed of our F. B. I. in their persecution of the Harrisburg Seven. What a waste of our time and money!" and goes on to ask "Why can't you put your energy toward fighting organized crime."

Bureau files contain no references identifiable with captioned individual.

In view of the contentious nature of his communication, it is suggested that it not be dignified with a reply.

RECOMMENDATION:

That  letter of 4/13/72 not be acknowledged.

1 - Mr. Malmfeldt

JWD:llk (2)

REC-26

16 APR 21 1972

*100-460-495-5566*  
CORRESPONDENCE  
*File*

54 APR 28 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJG/lyl

4-13-72

Mr. J. Edgar Hoover:

I am ashamed of our F.B.I. in their persecution of the Harrisburg Seven. What a waste of our time and money! If only we could devote 1½ million dollars toward making peace instead of persecuting Christians who work to bring our country to its senses.

Why can't you put your energy toward fighting organized crime. Every day I see the same man writing the "numbers" openly and brazenly. If this is what finances dope and crime, why can't you stop that?

Peace,

[Redacted Signature]

copy:ncj

*Malmefeldt to Bishop memo  
4-19-72  
JWP:ac*

*0* *7/2/72*

Mr. Tolson	✓
Mr. Felt	✓
Mr. Campbell	✓
Mr. Rosen	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Miller, E.S.	✓
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Ponder	
Mr. Bates	
Mr. Waikart	
Mr. Walters	
Mr. Soyars	
Tele Room	
Miss Holmes	
Miss Gandy	

*Malmefeldt*

b6  
b7C

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

*0/2/72*



esa

4-13-72

Mr. J. Edgar Hoover:

TO EAST CON.

Exp.

I am ashamed of our F.B.I. in their persecution of the Harrisburg Seven. What a waste of our time and money! If only we could devote 1 1/2 million dollars toward making peace instead of persecuting Christians who work to bring our country to its senses.

Why can't you put your energy toward fighting organized crime. Every day I see the same man writing the "Numbers" openly and brazenly. If this is what finances, dope and crime, why can't you stop that?

Peace

EXP. PROC.  
4-17-72

REC-26

100-460495-5567

16 APR 17 1972

CORRESPONDENCE

54 APR 28 1972  
F365  
Bishop memo  
4-19-72  
JWD:lee

each in re-form

b6  
b7C

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller *EM*

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop

DATE: 4-20-72

FROM : R. L. Shackelford *RLS*

1 - Mr. D. J. Dalbey  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

SUBJECT: EASTCON

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

*6/18*  
PURPOSE:

To apprise you of status of civil and criminal contempt cases arising out of the Eastcon case.

BACKGROUND:

As a result of their refusal to testify before a Federal Grand Jury (FGJ), Harrisburg, Pennsylvania, in [ ] after having been granted immunity from prosecution, eight Eastcon adherents were either cited for civil contempt or indicted for criminal contempt as follows:

Civil Contempt:



Criminal Contempt:



*Shackelford*  
*Griffith*  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 *6/18*

EX-114  
REC-32

*100-460495-5568*

Because of the need at that time to proceed with preparation for the Eastcon trial, the court granted the Government delay in proceeding against those individuals indicted for criminal contempt. This delay was also necessary inasmuch as the appeal of [ ] reluctant Eastcon witness previously cited for civil contempt, was in the process of adjudication through the courts and is currently before the Supreme Court. The basic issue is [ ] attorneys' claim that she had [ ]

100-460495

16 APR 25 1972

FBG:plm

(7)

CONTINUED - OVER

*5365*  
66 APR 27 1972

*5761*



Memorandum to Mr. E. S. Miller  
RE: Eastcon  
100-460495

standing as an FGJ witness to raise question regarding electronic surveillance and the Government's contention she did not. The outcome of this appeal, if it goes against the Government, would nullify the above civil contempt citations and could have some effect upon the defense to be used by those indicted for criminal contempt. For this reason, the Government has been reluctant to "push" these cases.

On 4-19-72 Departmental Attorney J. Phillip Krajewski, a member of the Eastcon prosecution team, advised he had discussed the contempt cases with Chief Prosecutor W. S. Lynch. According to Krajewski, Lynch is desirous of proceeding with the criminal contempt cases after the [ ] decision is handed down by the Supreme Court. He is not so much concerned with the civil contempt cases inasmuch as the FGJ before which these people appeared will cease to exist in June, 1972, at which time their citation will become moot. Should the Supreme Court decide the [ ] case prior to the expiration of the FGJ, Lynch will, of course, press for their incarceration. Lynch intends to have a conference with Mr. S. John Cottone, U.S. Attorney, Middle District of Pennsylvania, concerning these cases in the near future.

b3 Rule 6(e)

ACTION:

This is for your information. We will continue to follow this matter and apprise you of pertinent results.

V

GAM/FGJ

JAS

7-1-72

WGC

EM

AS  
DS  
gmm

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

SAC, Philadelphia (100-51190)

4-24-72

Director, FBI (100-460495)

EASTCON

7  
Enclosed herewith for each recipient is one copy of a letter dated 4-14-72 from the Assistant Attorney General, Internal Security Division, concerning captioned matter, which is self-explanatory.

Appropriate personnel should be advised of comments pertaining to them and a copy of the letter should be placed in their personnel files.

Enclosure

- 2 - Baltimore (100-27708) (Enclosure)
- 2 - Buffalo (100-20820) (Enclosure)
- 2 - Minneapolis (100-15431) (Enclosure)
- 2 - New York (100-168839) (Enclosure)

FBG:plm  
(13)

NOTE:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]

Letter from the Assistant Attorney General, Internal Security Division, presented commendatory comments concerning assistance rendered by SAS assigned to recipient offices during Eastcon investigation.

EX-116

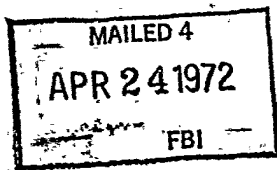
REC-51

5569

100-460495-

19 APR 25 1972

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_



61 APR 27 1972 TELETYPE UNIT ☐

FG

1/

DQ-6  
OFFICE OF DIRECTOR  
FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

April 19, 1972

The attached Motion was sent to the Director from Paul, Weiss, Goldberg, Rifkind, Wharton & Garrison, 1775 K Street, N.W., Washington, D. C. 20006.

It is noted that Eqbal Ahmad is one of the defendants in the Berrigan case in Harrisburg, Pa.

MR. TOLSON ✓  
MR. Felt ✓  
MR. CAMPBELL ✓  
MR. ROSEN ✓  
MR. MOHR ✓  
MR. BISHOP ✓  
MR. MILLER ✓  
MR. CALLAHAN ✓  
MR. CASPER ✓  
MR. CONRAD ✓  
MR. DALBY ✓  
MR. CLEVELAND ✓  
MR. PONDER ✓  
MR. BATES ✓  
MR. WALKART ✓  
MR. WALTERS ✓  
MR. SOYARS ✓  
MR. JONES ✓  
TELE. ROOM ✓  
MISS HOLMES ✓  
MRS. METCALF ✓  
MISS GANDY ✓

nm ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-8 [signature]

100-460495

EX-109

REC-33

100-460495-955570

ENCLOSURE  
ENCLOSURE ATTACHED

20 APR 25 1972

52 APR 28 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 JH/KM

8H



100-41175-5570

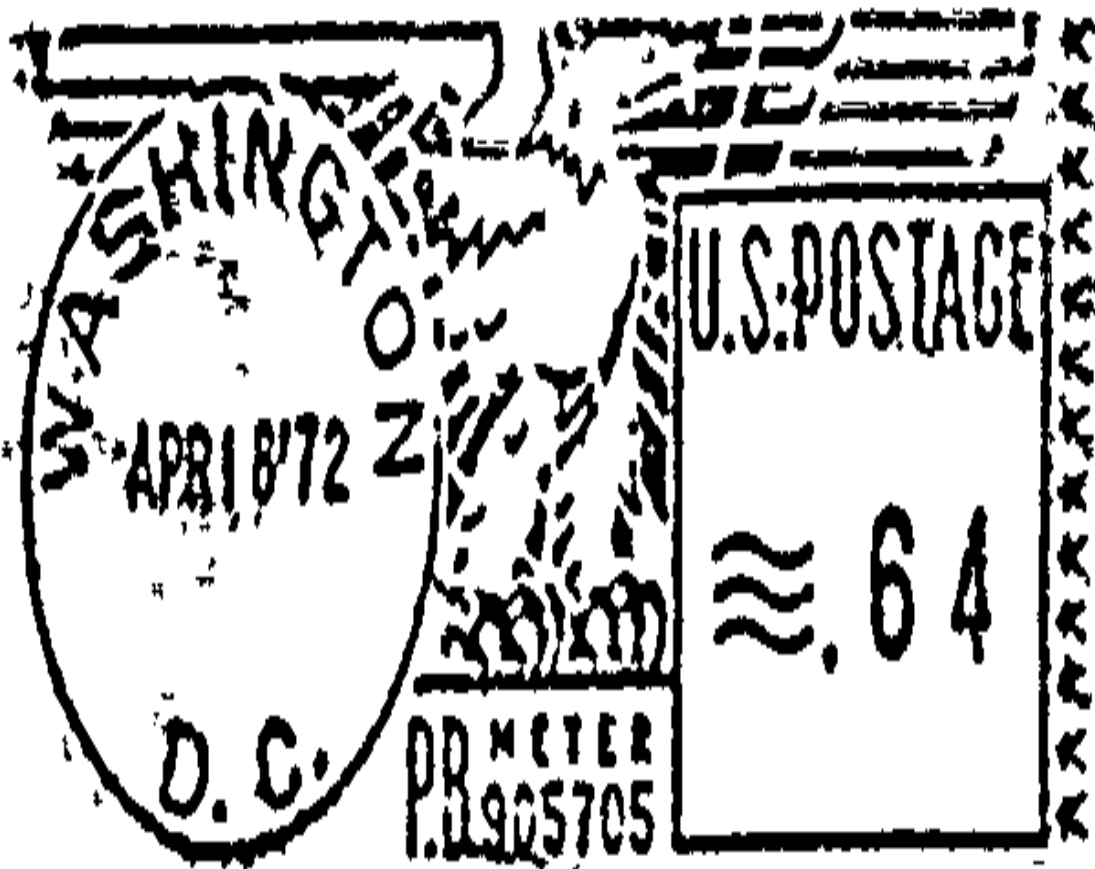
ENCLOSURE

J. Edgar Hoover, Director  
Federal Bureau of Investigation  
U.S. Department of Justice  
Constitution Ave., 9th & 10th Streets  
Washington, D. C. 20530

**FIRST CLASS MAIL**

3 DIRECTOR  
3 APR 19 72

100-460495-5570



100-460493  
5570



CERTIFICATE OF SERVICE

The undersigned, a member of the bar of the United States District Court for the District of Columbia, hereby certifies that on April 18, 1972, he served a copy of defendants' Motion for Production of Documentary Evidence, Memorandum of Points and Authorities in support thereof (with exhibits attached), and proposed Order upon the United States by depositing copies thereof in the United States mails with first-class postage prepaid and addressed to:

William Lynch, Esq.  
Special Attorney  
U. S. Department of Justice  
Washington, D. C.

S. John Cottone, U. S. Attorney  
United States District Court  
Middle District of Pennsylvania  
U. S. Post Office and Courthouse  
Scranton, Pennsylvania 18501

The undersigned further certifies that on April 18, 1972, he served a copy of the same papers on the individuals who were subpoenaed to produce the documentary evidence, which is the subject of this motion, by depositing true copies in the United States mails with first-class postage prepaid and addressed to the following:

Richard G. Kleindienst  
Acting Attorney General  
U.S. Department of Justice  
Washington, D. C.

J. Edgar Hoover, Director  
Federal Bureau of Investigation  
Washington, D. C.

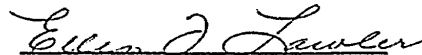
Norman A. Carlson, Director  
Bureau of Prisons  
Washington, D. C.

*Kenneth C. Bass, III*  
Kenneth C. Bass, III

9. I have contacted the Administrative Office of the U. S. Courts and have requested any information or statistical data which indicates the number of indictments and prosecutions for violation of Section 1791 and the nature of the material involved in each prosecution. I was informed that such data is not compiled by that office. For their purposes Section 1791 is combined with other criminal statutes and summary figures are maintained for the entire group. They have no means of segregating from this data violations of Section 1791.

  
R. Stan Mortenson

Subscribed to before me the 18th day of April, 1972.



My Commission Expires Oct. 31, 1974

5. With specific reference to the testimony of Robert L. Hendrick (Vol. IV, page 184), I talked with Mr. W. Farley Powers, Jr., Clerk of the District Court (Eastern District of Virginia). I asked whether he recalled any prosecution occurring during the early 1960's which charged violation of Section 1791. He checked the criminal docket sheets for the period 1961-1963 and found one prosecution. However, the file for that case was no longer available at the Clerk's Office. We have requested that it be retrieved from the Archives, but have not yet received it.

6. During a personal interview with Mr. Richard Heaney, Assistant Director, Bureau of Prisons, I asked whether, to his knowledge, there had ever been a prosecution for violation of Section 1791 in which the contraband involved consisted of written communications. He answered that in his tenure with the Bureau of Prisons, he could not recollect such a prosecution.

7. I have attempted on numerous occasions to obtain confirmation from the Office of Public Information, Department of Justice, of a newspaper report that there has never been a prosecution for violation of Section 1791 involving written communication. On each occasion I have been told that the individual whom I should speak with is "on another line" or "out of the office". On each occasion I have left a message to have my call returned. On no occasion have I received a reply and have not been able to confirm the report.

8. I have requested from the Penal Reform Institute any studies relating to the control of the flow of contraband into or out of a federal penal or correctional institution.

1791 during each fiscal year from 1965 through the first seven months of 1972. This letter did not indicate the nature of the contraband involved in any of the prosecutions.

2. I have requested Mr. Biallas to provide me with the nature of the material involved in prosecutions under Section 1791. He has stated that the computer data from which he obtained the information described in paragraph 1 does not contain such description but does contain cross-reference data to the original case files which may be obtained from the Criminal Division, Department of Justice.

3. I spoke by telephone with Leroy Amen, General Crimes Section, Criminal Division, Department of Justice, who stated that he had access to the case files relating to violations of Section 1791 and that such case files do contain information describing the nature of the "thing" introduced into or taken from the federal penal or correctional institution in violation of Section 1791. Mr. Amen suggested that we pursue other means of securing this information, such as through a suit filed under the Freedom of Information Act. He unequivocally stated that he would not release this information or make it otherwise available absent authorization from his superiors.

4. I contacted by telephone the clerks for three federal district courts and requested information relating to any case prosecuted for violation of Section 1791. Each of the clerks indicated that under the current filing systems, it would be impossible to locate copies of indictments or informations charging violation of Section 1791 without either the name of the defendant involved or the docket number.

200-1000000

with Mr. Demuth who stated that the information I desired was available and could be produced in a relatively short period of time. He asked if I had received "clearance" from the Office of Public Information within the Department of Justice. I responded that I did not have clearance at that time. I then telephoned the Office of Public Information, stated my name, where I was employed, and what information I desired. I was told that clearance would be immediately conveyed to Mr. Biallas and Mr. Demuth. My letter to Mr. Biallas on February 2, 1972, immediately followed those conversations.

Subsequent to sending the letter to Mr. Biallas, I talked with him by telephone and he stated that he had turned the matter over to Mr. Demuth and that I should deal with Mr. Demuth directly. I immediately called Mr. Demuth who said that he would release the information to me upon approval from a U. S. Attorney. He stated that he had requested such approval and that he would contact me when the approval was given. At no time after that call did Mr. Demuth contact me. Nevertheless, on numerous occasions--usually every two or three days--I telephoned Mr. Demuth to inquire whether approval had been given. On each occasion he stated that he had not yet received approval but would make an effort to do so. As of March 2, 1972, I had received no information from the Office of Management Support; nor had I been informed as to the reason for the delay.

Shortly thereafter, Mr. Biallas was served with a subpoena demanding production of the information that had been requested on numerous occasions. On March 10, 1972, a few days after service of the subpoena, I received a letter from Mr. Biallas which contained statistical data on the number of indictments, informations and prosecutions for violation of Section

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA )

v. )

Criminal No. 14950

EQBAL AHMAD, et al., )

Defendants. )

ORDER

UPON CONSIDERATION of Defendants' Motion for Production of Documentary Evidence, it is hereby

ORDERED that the United States shall make available for inspection and reproduction by the defendants all materials described in the subpoenas duces tecum served by defendants on the following individuals:

Richard G. Kleindienst, dated April 17, 1972

J. Edgar Hoover, dated April 17, 1972

Norman A. Carlson, dated April 17, 1972

The materials are to be made available at an appropriate office within the Department of Justice, Washington, D.C., on April 28, 1972, and from that date shall be continuously available to defendants' attorneys and their agents between the hours of 9:00 A.M. and 7:00 P.M. each day until May 2, 1972.

.....  
R. Dixon Herman  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EQBAL AHMAD, et al.,

Defendants.

Criminal No. 14950

AFFIDAVIT

City of Washington )

District of Columbia )

ss:

R. Stan Mortenson, being duly sworn says:

I am an attorney associated with Paul, Weiss, Rifkind, Wharton and Garrison.

In order to obtain documents, statistical data and other information as evidence to support defendants' claim of discriminatory prosecution, I have taken the following steps:

1. On February 2, 1972, I wrote to Mr. Mark Biallas, Director of the Office of Management Support, 615 Pennsylvania Avenue, N. W., Washington, D. C., 20530, and requested statistical information regarding the number of indictments and/or prosecutions brought under Title 18 U.S.C. § 1791, dealing with the introduction of contraband material into a federal prison. This letter was sent at the direction of Mr. Frank Demuth, Special Project Officer, Office of Management Support. I had previously spoken

EXHIBIT D

6. All recommendations of or communications by the Department of Justice or the Bureau of Prisons to Congress with respect to the subject matter of 18 U.S.C. § 1791.

7. Copies of all regulations of the Bureau of Prisons implementing 18 U.S.C. § 1791 or 28 C.F.R. § 6.1 which were in effect at any time during 1970 and copies of any such regulations now in effect.



b) where the thing introduced into or upon, or taken or sent from, the grounds of any federal penal or correctional institution was any form of written communications.

3. All reports made by and from Lewisburg Federal Penitentiary to the Bureau of Prisons with respect to disciplinary proceedings against any prisoner incarcerated at that institution for violations of 18 U.S.C. § 1791 or 28 C.F.R. § 6.1:

a) regardless of the nature of the possible violation;

b) where the possible violation was because of written communications introduced into or upon, or taken or sent from Lewisburg Federal Penitentiary.

4. All studies made with respect to the subject of control and regulation of contraband taken into or out of federal penal or correctional institutions and any proposed and any adopted changed in the regulations, their implementation and enforcement and non-enforcement, since 1940.

5. All studies and recommendations with regard to the regulation of correspondence from and to federal prisoners both into and out of federal prisons including Lewisburg Penitentiary and also including any recommended changes in the pertinent regulations adopted or rejected since 1970 including the studies concerning reasons for such study and reasons for any change in such regulations and procedures.

against any defendant in Crim. No. 14950, i.e.,  
directed against any such defendants;

f) of any wire or oral communications of anyone  
located at any place where any defendant in Crim.  
No. 14950 was present at the time of the surveillance;

g) of any wire or oral communications to which  
an un-indicted co-conspirator in Crim. No. 14950  
(M.D.Pa.) was a party.

2. Any and all logs, records, transcripts, and memor-  
anda or other reproductions of any wiretapping, bugging,  
electronic or similar surveillance:

a) of any wire or oral communications to which  
any present or former attorney for defendants  
in Crim. No. 14950, or agent or employee of  
said attorneys, was a party;

b) of any wire or oral communications which  
occurred in the presence of any present or  
former attorney for defendants in Crim. No.  
14950, or agent or employee of said attorneys.

3. Any and all logs, memoranda or records of any  
electronic or other surveillance of wire or oral communi-  
cation which reveal the existence of a conversation described  
in paragraphs 1 and 2, although not the contents thereof.

4. The original tape, wire, or other mechanical re-  
cording of any conversation described in paragraphs 1 and 2.

# United States District Court

## FOR THE

### MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Crim. No. 14950

v.  
EQBAL AHMAD, et al.

To NORMAN A CARLSON  
Director  
Bureau of Prisons  
Washington, D. C.

You are hereby commanded to appear in the United States District Court for the Middle District of Pennsylvania at the Federal Building in the city of Harrisburg on the 2nd day of May 1972 at 10:00 o'clock A. M. to testify in the case of United States v. Eqbal Ahmad, et al. and bring with you the documents listed in Schedule A attached hereto.

It will not be necessary for you to appear personally if the documents are produced at the above-stated time and place and are properly certified as official records pursuant to Rule 27 of the Federal Rules of Criminal Procedure, or if the attorney for the United States in the above-captioned case will stipulate that the documents so produced are authentic and are kept in the regular course of business of the Bureau of Prisons, whose regular course of business it is to keep such documents. This subpoena is issued upon application of the defendants Philip Berrigan and Elizabeth McAlister.

April 17, 1972

*J. Menaker*  
Attorney for Defendants  
J. THOMAS MENAKER  
Address P. O. Box 1155  
Harrisburg, Pa. 17108

T. H. CAMPION

By *[Signature]* Clerk.  
*[Signature]* Deputy Clerk.

\* Insert "United States," or "defendant" as the case may be.

### RETURN

Received this subpoena at 1:00 PM on April 17, 1972  
and on April 17, 1972 at 3:30 PM  
served it on the within named *NORMAN A. CARLSON* PER *Mary Rawlings*  
by delivering a copy to him and tendering to the fee for one day's attendance and the mileage allowed by law. FEES TENDERED AND REFUSED

Dated:

\_\_\_\_\_, 19 \_\_\_\_  
Service Fees

Travel \_\_\_\_\_\$

Services \_\_\_\_\_\$

Total \_\_\_\_\_\$

By *Mark A. Held*

Sworn to before me this 18 day of April, 1972.

*[Signature]*  
My Commission Expires Oct. 31, 1974.

\* Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules Criminal Procedure).

EXHIBIT C

## SCHEDULE A

1. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, between Bureau of Prisons personnel and offices of United States Attorneys, or between Bureau of Prisons personnel and the Department of Justice in Washington, D. C., reporting acts which might be considered violations of 18 U.S.C. § 1791, 62 Stat. 786, regardless of whether such communications sought legal advice or assistance or recommended prosecution for suspected violations and regardless of whether a prosecution was ultimately initiated:

a) regardless of the nature of the possible violation;

b) where the possible violation was because of written communications introduced into or upon, or taken or sent from the grounds of any federal penal or correctional institution.

2. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, which relate to any decision to prosecute persons for violations of 18 U.S.C. § 1791, 62 Stat. 786, and which were communicated between Bureau of Prisons personnel and offices of United States Attorneys, or between Bureau of Prisons personnel and the Department of Justice in Washington, D. C.:

a) regardless of the nature of the thing introduced into or upon, or taken or sent from the grounds of any federal penal or correctional institution;

## SCHEDULE B

1. Any and all logs, records, transcripts, memoranda or other reproduction of any wiretapping, bugging, electronic or similar surveillance:

a) of any wire or oral communications to which any defendant in Crim. No. 14950 (M.D.Pa.) was a party;

b) of any wire or oral communications of anyone located at the home or principal place of residence, whether permanent or temporary, of any defendant in Crim. No. 14950 (M.D.Pa.);

c) of any wire or oral communications of anyone located at any place listed in Exhibit "A" to the "Motion for Disclosure of Electronic or Other Surveillance" filed by the defendants in Crim. No. 14886 (M.D.Pa.) on April 1, 1971 and adopted in its entirety by the defendants in Crim. No. 14950 (M.D.Pa.) in a "Motion for Disclosure of Electronic Surveillance" filed May 19, 1971;

d) of any wire or oral communications of anyone located at any place listed in the exhibit to the "Motion for Disclosure of Electronic Surveillance" filed by the defendants on May 19, 1971 in Crim. No. 14950 (M.D.Pa.);

e) of any wire or oral communications of anyone placed under surveillance for the purpose, in whole or in part, in gathering evidence or leads

## SCHEDULE A

1. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, relating to the decision to initiate and/or continue the investigation of the so-called "East Coast Conspiracy to Save Lives" or the actions of Eqbal Ahmad, Philip Berrigan, John Theodore Glick, Elizabeth McAlister, Neil McLaughlin, Anthony Scoblick, Mary Cain Scoblick, Joseph Wenderoth, Beverly Bell, William Davidon, Jogues Egan and/or Marjorie Shuman.

2. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, relating to the decisions to seek the indictments ultimately returned by the grand jury and filed in the United States District Court for the Middle District of Pennsylvania as criminal indictments nos. 14886 and 14950..

## United States District Court

FOR THE

MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

EQBAL AHMAD, et al

Crim.  
No.

14950

To J. EDGAR HOOVER  
Director  
Federal Bureau of Investigation  
Washington, D. C.

You are hereby commanded to appear in the United States District Court for the Middle  
District of Pennsylvania at the Federal Building in the city of  
Harrisburg on the 2nd day of May 1972 at 10:00 o'clock A. M.

to testify in the case of United States v. Egbal Ahmad, et al and bring with you  
the documents listed in Schedules A and B attached hereto.

It will not be necessary for you to appear personally if the documents are produced at the above-stated time and place and are properly certified as official records pursuant to Rule 27 of the Federal Rules of Criminal Procedure, or if the attorney for the United States in the above-captioned case will stipulate that the documents so produced are authentic and are kept in the regular course of business of the Federal Bureau of Investigation, whose regular course of business it is to keep such documents.

This subpoena is issued upon application of the defendants Philip Berrigan and Elizabeth McAlister.

April 17, 1972

*J. Thomas*

Attorney for Defendants

J. THOMAS  
P. O. Box 1165  
Harrisburg, Pa. 17103

Address

U. S. CLERK

By

Clerk.

Deputy Clerk.

\* Insert "United States," or "defendant" as the case may be.

## RETURN

Received this subpoena at 1:00 PM on April 17, 1972  
and on April 17, 1972 at 4:00 PM  
served it on the within named J. Edgar Hoover PER D. DALLY  
by delivering a copy to him and tendering to the fee for one day's attendance and the mileage allowed by law. FEES TENDERED AND REFUSED

Dated:

\_\_\_\_\_, 19

By

*Mark A. Gled*

Service Fees

Travel \$

Services \$

Total \$

Sworn to before me this 18 day of April, 1972.

*Eugene J. Swiler*

My Commission Expires Oct. 31, 1974

\* Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof. 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules Criminal Procedure).

against any defendant in Crim. No. 14950, i.e.,  
directed against any such defendants;

f) of any wire or oral communications of anyone  
located at any place where any defendant in Crim.  
No. 14950 was present at the time of the surveillance;

g) of any wire or oral communications to which  
an un-indicted co-conspirator in Crim. No. 14950  
(M.D.Pa.) was a party.

2. Any and all logs, records, transcripts, and memor-  
anda or other reproductions of any wiretapping, bugging,  
electronic or similar surveillance:

a) of any wire or oral communications to which  
any present or former attorney for defendants  
in Crim. No. 14950, or agent or employee of  
said attorneys, was a party;

b) of any wire or oral communications which  
occurred in the presence of any present or  
former attorney for defendants in Crim. No.  
14950, or agent or employee of said attorneys.

3. Any and all logs, memoranda or records of any  
electronic or other surveillance of wire or oral communi-  
cation which reveal the existence of a conversation described  
in paragraphs 1 and 2, although not the contents thereof.

4. The original tape, wire, or other mechanical re-  
cording of any conversation described in paragraphs 1 and 2.



SCHEDULE B

1. Any and all logs, records, transcripts, memoranda or other reproduction of any wiretapping, bugging, electronic or similar surveillance:

a) of any wire or oral communications to which any defendant in Crim. No. 14950 (M.D.Pa.) was a party;

b) of any wire or oral communications of anyone located at the home or principal place of residence, whether permanent or temporary, of any defendant in Crim. No. 14950 (M.D.Pa.);

c) of any wire or oral communications of anyone located at any place listed in Exhibit "A" to the "Motion for Disclosure of Electronic or Other Surveillance" filed by the defendants in Crim. No. 14886 (M.D.Pa.) on April 1, 1971 and adopted in its entirety by the defendants in Crim. No. 14950 (M.D.Pa.) in a "Motion for Disclosure of Electronic Surveillance" filed May 19, 1971;

d) of any wire or oral communications of anyone located at any place listed in the exhibit to the "Motion for Disclosure of Electronic Surveillance" filed by the defendants on May 19, 1971 in Crim. No. 14950 (M.D.Pa.);

e) of any wire or oral communications of anyone placed under surveillance for the purpose, in whole or in part, in gathering evidence or leads

the actions of Eqbal Ahmad, Philip Berrigan, John Theodore Glick, Elizabeth McAlister, Neil McLaughlin, Anthony Scoblick, Mary Cain Scoblick, Joseph Wenderoth, Beverly Bell, William Davidon, Jogues Egan and/or Marjorie Shuman.

15. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, relating to the decisions to seek the indictments ultimately returned by the grand jury and filed in the United States District Court for the Middle District of Pennsylvania as criminal indictments nos. 14886 and 14950.

16. Copies of every indictment or information filed in federal courts charging a violation of 18 U.S.C. § 876, 62 Stat. 741, since its enactment in 1948:

a) where the communication involved contained a threat to kidnap the addressee or intended addressee;

b) where the communication involved contained a threat to kidnap a spouse, relative, or close friend of the addressee or intended addressee;

c) where the communication involved contained a threat to kidnap an individual other than the addressee or intended addressee, or a spouse, relative or close friend of the addressee or intended addressee;

d) where the communication involved contained discussion of kidnapping an individual other than the addressee or intended addressee, or a spouse, relative, or close friend of the addressee or intended addressee.

b) where the possible violation was because of written communications introduced into or upon, or taken or sent from Lewisburg Federal Penitentiary.

10. All studies and recommendations with regard to the regulation of correspondence from and to federal prisoners both into and out of federal prisons including Lewisburg Penitentiary and also including any recommended changes in the pertinent regulations adopted or rejected since 1970 including the studies concerning reasons for such study and reasons for any change in such regulations and procedures.

11. All recommendations of or communications by the Department of Justice or the Bureau of Prisons to Congress with respect to the subject matter of 18 U.S.C. § 1791, 62 Stat. 786.

12. All studies made with respect to the subject of control and regulation of contraband taken into or out of federal penal or correctional institutions and any proposed and any adopted changes in the regulations, their implementation and enforcement and non-enforcement, since 1940.

13. Copies of all regulations of the Bureau of Prisons implementing 18 U.S.C. § 1791, 62 Stat. 786, or 28 C.F.R. § 6.1 which were in effect at any time during 1970 and copies of any such regulations now in effect.

14. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, relating to the decision to initiate and/or continue the investigation of the so-called "East Coast Conspiracy to Save Lives" or

legal advice or assistance or recommended prosecution for suspected violations:

- a) regardless of the nature of the possible violations;
- b) where the possible violation was because of written communications introduced into or upon, or taken or sent from the grounds of any federal penal or correctional institution.

8. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, communicated between offices of United States Attorneys and the Department of Justice in Washington, D.C., relating to acts which might be considered violations of 18 U.S.C. § 1791, 62 Stat. 786, or 28 C.F.R. § 6.1:

- a) regardless of the nature of the possible violation;
- b) where the possible violation was because of written communications introduced into or upon, or taken or sent from the grounds of any federal penal or correctional institution.

9. All reports made by and from Lewisburg Federal Penitentiary to the Bureau of Prisons with respect to disciplinary proceedings against any prisoner incarcerated at that institution for violations of 18 U.S.C. § 1791, 62 Stat. 786, or 28 C.F.R. § 6.1:

- a) regardless of the nature of the possible violation;

a) regardless of the nature of the possible violations;

b) where the possible violation was because of written communications introduced into or upon, or taken or sent from the grounds of any federal penal or correctional institution.

6. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, which relate to any decision to prosecute persons for violations of 18 U.S.C. § 1791, 62 Stat. 786, and which were communicated between Bureau of Prisons personnel and offices of United States Attorneys, or between Bureau of Prisons personnel and the Department of Justice in Washington, D.C.:

a) regardless of the nature of the thing introduced into or upon, or taken or sent from the grounds of any federal penal or correctional institution;

b) where the thing introduced into or upon, or taken or sent from, the grounds of any federal penal or correctional institution was any form of written communications.

7. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise, between Bureau of Prisons personnel and offices of United States Attorneys, or between Bureau of Prisons personnel and the Department of Justice in Washington, D.C., reporting acts which might be considered violations of 18 U.S.C. § 1791, 62 Stat. 786, or 28 C.F.R. § 6.1, regardless of whether such communications sought

3. Any memoranda, letters, transcripts or other recorded communications, written or otherwise, relating to the bringing of the indictments or informations described in paragraph 1 and communicated between Bureau of Prisons personnel and offices of United States Attorneys, or between the offices of United States Attorneys and the Department of Justice in Washington, D. C., or between Bureau of Prisons personnel and the Department of Justice in Washington, D.C., or between divisions of the Department of Justice, or within divisions of the Department of Justice:

a) regardless of the nature of the thing introduced into or upon, or taken or sent from, the grounds of any federal penal or correctional institution;

b) where the thing introduced into or upon, or taken or sent from, the grounds of any federal penal or correctional institution was any form of written communications.

4. Any statistical data, reports, files, or other documents maintained by or within the possession of the Department of Justice which pertain to the number of indictments sought or informations filed by the Department of Justice or any U.S. Attorney's Offices, for violation of Title 18 U.S.C. § 1791, 62 Stat. 786, since 1948.

5. Any memoranda, letters, notes, transcripts or other recorded communications, written or otherwise within the Department of Justice containing recommendations as to prosecution or non-prosecution for violations of 18 U.S.C. § 1791, 62 Stat. 786, or 28 C.F.R. § 6.1:

# United States District Court

FOR THE

MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Crim. No. 14950

v.  
EQBAL AHMAD, et al.

To RICHARD G. KLEINDIENST  
Acting Attorney General  
United States Department of Justice  
Washington, D. C.

You are hereby commanded to appear in the United States District Court for the Middle District of Pennsylvania at the Federal Building in the city of Harrisburg on the 2nd day of May 1972 at 10:00 o'clock A. M.

to testify in the case of United States v. Eqbal Ahmad, et al. and bring with you the documents listed in Schedules A and B attached hereto.

It will not be necessary for you to appear personally if the documents are produced at the above-stated time and place and are properly certified as official records pursuant to Rule 27 of the Federal Rules of Criminal Procedure, or if the attorney for the United States in the above-captioned case will stipulate that the documents so produced are authentic and are kept in the regular course of business of the Department of Justice, whose regular course of business it is to keep such documents.

This subpoena is issued upon application of the defendants Philip Berrigan and Elizabeth McAlister.

April 17, 1972

*J. Menaker*  
Attorney for Defendants

Address

Harrisburg, Pa. 17103

\* Insert "United States," or "defendant" as the case may be.

T. H. CAMPION

By

*Dean J. Edwards*  
Clerk.  
Deputy Clerk.

## RETURN

Received this subpoena at 1:00 P.M. on April 17, 1972  
and on April 15, 1972 at 10:20 A.M.  
served it on the within named RICHARD G. KLEINDIENST PER HARRY KULICK  
by delivering a copy to him and tendering to the fee for one day's attendance and the mileage allowed by law. FEES TENDERED AND REFUSED

Dated:

\_\_\_\_\_, 19\_\_\_\_

By

*Mark A. Freed*

Service Fees

Travel \_\_\_\_\_\$  
Services \_\_\_\_\_\$

Total \_\_\_\_\_\$

Sworn to before me this 18 day of April, 1972.

*William J. Fowler*  
*Harry Kulick*  
*Minister, OROM*  
4-18-72

\* Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules Criminal Procedure).

My Commission Expires Oct. 31, 1974

EXHIBIT A

## SCHEDULE A

1. Copies of every indictment or information filed in federal courts charging a violation of 18 U.S.C. § 1791, 62 Stat. 786, since its enactment in 1948:

a) regardless of the nature of the thing introduced into or upon, or taken or sent from, the grounds of any federal penal or correctional institution;

b) where the thing introduced into or upon, or taken or sent from, the grounds of any federal penal or correctional institution was any form of written communications.

2. Copies of every bill of particulars, legal memorandum, or other document filed in cases brought under 18 U.S.C. § 1791, 62 Stat. 786 which disclose, describe, elaborate, or indicate the facts constituting the alleged violation of 18 U.S.C. § 1791, 62 Stat. 786, involved in that case:

a) regardless of the nature of the thing introduced into or upon, or taken or sent from, the grounds of any federal penal or correctional institution;

b) where the thing introduced into or upon, or taken or sent from, the grounds of any federal penal or correctional institution was any form of written communications.



the subpoenaed materials available for inspection and reproduction at an appropriate office within the Department of Justice in Washington, D. C.

Production in Washington will serve the convenience both of the prosecution and the defense. Under such a procedure it would not be necessary for the government to transport all requested documents to Harrisburg prior to the hearing. It is of course possible that prior production and inspection will enable defense counsel to narrow their production requests and eliminate certain materials. Transportation of unnecessary documents would thus be avoided.

Defendants request prior production on April 28, 1972 -- four days in advance of the scheduled hearing. Defendants request that the documents be continuously available to their attorneys and agents between the hours of 9:00 A.M. and 7:00 P.M. each day until May 2, 1972. Under this schedule the government will have approximately two weeks to gather and collect the requested information.<sup>\*/</sup> Defense counsel would then have four days to analyze and digest it. Such a schedule is fair to all parties.<sup>\*\*/</sup>

Respectfully submitted,

\_\_\_\_\_  
J. Thomas Menaker  
Counsel for Defendants

Dated: April 18, 1972

<sup>\*/</sup> The subpoenas in question were served on April 17 and 18.

<sup>\*\*/</sup> Defendants realize that Rule 17(c) by its terms authorizes prior production "before the court" and not at another location. This Court has adequate power, however, to require production in Washington, D.C., since that location is more convenient to all parties in this case. If the Court is unwilling to require production in Washington, counsel for defendants will inspect the documents here in Harrisburg at any location ordered by the Court and reasonably convenient to the parties.

#### D. Specificity of Request

Finally, defendants have tried to delineate with precision the materials and documents they believe most directly pertain to the issues to be raised at hearing. They have attempted to determine what documents would most likely contain the needed information and which documents can be retrieved with minimal effort. Moreover, their requests are made in good faith and are not designed as fishing expeditions.

It is true that defendants seek several documents. This is necessitated by the nature of their claims. However, defendants do not seek to rummage through the prosecution's files to obtain any material that might help the defense. Only information directly relevant to the issues involved at the May 2nd hearing has been requested. Defendants know the nature of the information they are seeking; they are not fishing for whatever they may find.

#### III. NATURE OF THE RELIEF SOUGHT

The defendants seek materials within the possession of the Department of Justice. Most of these materials presumably exist within the Department in Washington, D. C., at the present time. Other materials may perhaps be gathered from other locations in the United States. But certainly collection of the information will be supervised from Washington and eventually all requested material will be collected in that city. Counsel primarily responsible for the defense case on the issues involved at the May 2nd hearing as well as prosecution counsel are located in Washington, D.C. Defendants therefore request an order making

Defendants have found, however, that these materials are not reasonably procurable by the exercise of due diligence through any means other than compulsory process. Defendants find that only the Department of Justice and its component Bureaus maintain documents and statistical information necessary to prove the defense raised by defendants.

C. Necessity of Prior Production

Defendants further find that production of the documents shortly in advance of the scheduled hearing is vital to their preparation for that hearing. Moreover, failure to obtain such inspection will tend either unreasonably to delay the hearing or to prejudice the presentation they desire to make at that time. The information requested must be compiled and organized in a manner which will facilitate an ordered presentation of defendants' claims. Such presentation cannot be achieved without an opportunity to inspect the materials a few days in advance of the hearing.

Necessarily defendants and their counsel have not seen the documents subpoenaed for this hearing. Counsel cannot anticipate the contents of those documents and therefore cannot prepare for the hearing without inspection of the documents themselves. If the documents are not produced prior to the hearing, this Court will inevitably be burdened with lengthy delays and interruptions during the hearing while counsel attempt to analyze the documents. Such a procedure would not only inconvenience the Court, it would effectively deny defendants their rights under the Fifth and Sixth Amendments to a fair trial, effective assistance of counsel, and compulsory production of evidence in support of their defense.

United States v. Caramella, supra at 282.

At the hearing on May 2, defendants will also assert their claim that certain evidence was obtained through illegal surveillances. Their original request to obtain all surveillance documents, to determine whether the government had produced all such documents, and to determine whether any evidence had been obtained as a result of such unlawful surveillances, was postponed until after the trial by this Court's order of November 12, 1971. In the Memorandum Opinion and Order of that date, this Court stated:

" . . . any inquiry into . . . the issue of taint is best left until after the trial, and at that time whatever disclosure is required will be ordered."

The hearing so postponed has now been scheduled for May 2, 1972.

Defendants renew their request for the production of the results of such surveillance. (Schedule B to Exhibits A and B). These documents are essential in establishing the possibility of taint of evidence admitted at trial. Additionally, the possible volume of such documents requires that they be made available to defendants in advance of the hearing to facilitate adequate review prior to presentation of the defense.

B. Unavailability of Material

Realizing the crucial evidentiary value of this material, defendants have attempted to obtain it through various avenues other than by the subpoenas which have now been served. (See Affidavit of R. Stan Mortenson attached hereto as Exhibit D).

studies and recommendations concerning regulation of contraband in federal penal institutions. (Items 10 through 13, Schedule A to Exhibit A; Items 4 through 7, Schedule A to Exhibit C). Of similar evidentiary value is the subpoenaed material relating to past enforcement of Title 18 U.S.C. § 876 (Item 16, Schedule A to Exhibit A). Defendants believe that the United States has never previously prosecuted an individual for sending a letter containing discussion of kidnapping an individual that was not communicated to the supposed victim or to a relative or friend thereof.

Defendants have also subpoenaed agency records relating to the decisions to investigate the so-called "East Coast Conspiracy to Save Lives" and the defendants in this case, as well as documents relating to the decision to seek indictments nos. 14886 and 14950. (Items 14, 15, Schedule A to Exhibit A; Items 1, 2, Schedule A to Exhibit B). The materials so sought contain perhaps the best evidence of the prosecution's motive in this case. Such evidence is admissible when the prosecution's motive is in issue, United States v. Keogh, 289 F. Supp. 265, 270-271 (S.D.N.Y. 1968), as it is when the defense of discriminatory prosecution is raised. See generally Defendants' Memorandum of Points and Authorities in support of the defense of discriminatory enforcement of law, filed March 23, 1972; see also Comment, The Right of Non-Discriminatory Enforcement of State Penal Laws, 61 Col. L. Rev. 1103, 1122 (1961); People v. Harris, 182 Cal. App. 2nd Supp. 837, 5 Cal. Reprtr. 852 (App. Dep't, L.A. County Court 1960). And Rule 17(c) is an appropriate means for obtaining these documents since it "authorizes production and inspection of internal Government documents . . . if the documents are sought in a bona fide attempt to obtain evidence."

relevant; (2) that they are not otherwise procurable by defendant reasonably before the trial by the exercise of due diligence; (3) that defendant cannot properly prepare for trial without such production and inspection in advance of trial and the failure to obtain such inspection may tend unreasonably to delay the trial; and (4) that the application is made in good faith and is not intended as a general fishing expedition. See also United States v. Charamella, 294 F. Supp. 280 (D.C. Del. 1968). Defendants submit that their request satisfies each of these criteria.

A. Evidentiary Nature of Requested Material

Defendants contend that they have been the subject of discriminatory prosecution. Indicative of this discrimination is the prosecution for violation of a statute which defendants believe has never been similarly enforced. Specifically, defendants believe that 18 U.S.C. § 1791 has never been enforced against an individual for sending written communications while incarcerated in a federal penal or correctional institution or against any individual who sent such communications to a prisoner. The most relevant evidence to support this claim are the materials requested in the subpoenas duces tecum served by defendants. These materials contain information concerning the nature of the contraband involved in each instance in which the United States has undertaken to prosecute individuals believed to have violated § 1791. (Items 1 through 6, Schedule A to Exhibit A). Other materials sought concern administrative sanctions usually invoked by the Bureau of Prisons in lieu of criminal prosecution. (Items 7 through 9, Schedule A to Exhibit A; Items 1 through 3, Schedule A to Exhibit C). Additionally defendants seek various

evidence and may upon their production permit the books, papers, documents or objects or portions thereof to be inspected by the parties and their attorneys.

The primary purpose of this provision is "to expedite the trial by providing a time and place before trial for the inspection of the subpoenaed materials." Bowman Dairy Co. v. United States, 341 U.S. 214, 220 (1951). The rule is especially applicable where, as here, the documentary evidence is voluminous. \* Rather than requiring frequent delays while counsel inspects newly disclosed material, the rule authorizes such inspection of evidentiary material prior to trial "for the purpose of course of enabling the party to see whether he can use it or whether he wants to use it." Statement of Mr. G. Aaron Youngquist, member of Advisory Committee, Federal Rules of Criminal Procedure (New York University School of Law, Institute Proceedings Vol VI, 1946), at 167-168, quoted approvingly in Bowman Dairy, supra, at 220, n. 5. Utilization of this authority is especially appropriate in this case.

## II. CRITERIA FOR GRANTING THE MOTION

Although Rule 17(c) does not itself set forth criteria governing those instances in which prior inspection should be ordered, four such criteria have been acknowledged and accepted by the courts. Judge Weinfeld held in United States v. Tozia, 13 F.R.D. 335 (S.D.N.Y. 1952), that a request for inspection prior to the time for introduction of the evidence should be accompanied by a showing: (1) that the documents are evidentiary and

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\*/ The last sentence of Rule 17(c) "is inserted in the interest of fairness and for the purpose of preventing delay during the trial, particularly in cases where numerous documents may have been subpoenaed." United States v. Carter, 15 F.R.D. 367, 369 (D.D.C. 1954), quoting from Committee Notes to the Second Preliminary Draft of the Rules.

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	
	)	
v.	)	Crim. No. 14950
	)	
EQBAL AHMAD, et al.,	)	
	)	
Defendants.	)	
.....	)	

MEMORANDUM OF POINTS AND AUTHORITIES

Defendants submit this memorandum of points and authorities in support of their Motion for Production of Documentary Evidence.

I. BASIS FOR MOTION

By subpoenas dated April 17, 1972, defendants have requested production by the government of certain documents to be introduced in evidence at the May 2, 1972 hearing on the issues of illegal wiretapping and discriminatory prosecution.\*/ Defendants have also moved for production of these documents for inspection and reproduction on April 28, 1972, four days in advance of the evidentiary hearing. This motion is based on Rule 17(c) Fed. R. Crim. Pro., which provides that:

The court may direct that books, papers, documents or objects designated in the subpoena be produced before the court at a time prior to the trial or prior to the time when they are to be offered in

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\*/ Copies of the subpoenas are appended to this memorandum as Exhibits A, B and C.



UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA )

v. )

Criminal No. 14950

EQBAL AHMAD, et al., )

Defendants. )

MOTION FOR PRODUCTION OF DOCUMENTARY EVIDENCE

Defendants, by their undersigned attorney, respectfully move this Court, pursuant to Rule 17(c) of the Federal Rules of Criminal Procedure, for an order compelling the United States to produce for inspection and reproduction by defendants on April 28, 1972, at the Department of Justice in Washington, D.C., or alternatively, before this Court, all materials described in the subpoenas duces tecum served by defendants on the following individuals:

Richard G. Kleindienst, dated April 17, 1972

J. Edgar Hoover, dated April 17, 1972

Norman A. Carlson, dated April 17, 1972

Respectfully submitted,

J. Thomas Menaker  
Counsel for Defendants  
100 Pine Street  
Harrisburg, Pennsylvania

Dated: April 18, 1972

*Dep't Atty J. Phillip Kravinski  
advised 4/24/72 necessary  
response to motion being  
prepared for argument at  
Harrisburg Pa 5/1-2/72  
Pkg.*

# FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>NEW HAVEN</b>	OFFICE OF ORIGIN <b>PHILADELPHIA</b>	DATE <b>4/4/72</b>	INVESTIGATIVE PERIOD <b>2/8-4/3/72</b>
TITLE OF CASE: <b><u>EAST COAST CONSPIRACY TO SAVE LIVES (ECCSL)</u></b>		REPORT MADE BY: <b>SA</b> <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>	TYPED: <b>jch</b>
		CHARACTER OF CASE:  <b>IS-NEW LEFT DGP-KIDNAPPING SABOTAGE-CONSPIRACY</b>	

**REFERENCE:**

New Haven report of SA   
dated 2/15/72.

-P-

**ADMINISTRATIVE:**

No leads being set forth.

New Haven will continue to obtain pertinent data relative to captioned group.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RTH/ML

EX-116

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED: <span style="font-family: cursive; font-size: 1.2em;">C. J. [signature]</span> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE: <span style="font-family: cursive; font-size: 1.2em;">4 destroyed</span> <div style="margin-top: 10px;"> <div style="border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin-bottom: 5px;">11</div> <div style="margin-left: 5px;">                         - Bureau (100-460495) (RM)                          1 - Albany (100-21655) (RM)                          1 - Buffalo (100-20820) (RM)                          1 - Boston (100-41614) (RM)                          1 - Chicago (100-50237) (RM)                          1 - Newark (100-56605) (RM)                          3 - New York (100-168839) (RM)                     </div> </div> <div style="margin-top: 5px;">                         3cc-933-D 7 - Philadelphia (100-51190) (100-51305) (RM)                     </div>	<div style="font-size: 1.5em; font-family: cursive;">100-460495-5571</div> <div style="font-weight: bold; font-size: 1.2em;">REC-7</div> <div style="margin-top: 20px; text-align: center;"> <div style="font-size: 1.5em; font-family: cursive;">26</div> <div style="font-weight: bold;">APR 7 1972</div> </div> <div style="text-align: right; font-weight: bold; font-size: 1.2em;">EX-116</div> <div style="margin-top: 20px;">                         3 - WFO (100-52299) (RM)                     </div>

Dissemination Record of Attached Report		Notations
Agency 2 - New Haven (100-20708) (100-20712)	<div style="font-size: 1.5em; font-family: cursive;">J. [signature]</div> <div style="font-weight: bold; font-size: 1.2em; margin-top: 20px;">NEW HAVEN</div>	
Request Recd. <span style="font-family: cursive;">AAG-ISO attn. [signature] (2-OROM-ISO)</span>		
Date Fwd. <span style="font-family: cursive;">4/11/72</span>		
How Fwd. <span style="font-family: cursive;">RIS</span>		
By <span style="font-family: cursive;">FBB: dlv</span>		

COVER PAGE

U. S. GOVERNMENT PRINTING OFFICE: 1970 O-375-139

MAY 3 1972

F365

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b6  
b7c

Report of: SA [REDACTED]  
Date: April 4, 1972

Office: NEW HAVEN

Field Office File #: 100-20708

Bureau File #: 100-460495

Title: EAST COAST CONSPIRACY TO SAVE LIVES

Character: INTERNAL SECURITY - NEW LEFT;  
DESTRUCTION OF GOVERNMENT PROPERTY- KIDNAPPING;  
Sabotage - CONSPIRACY

Synopsis:

Visitors to [REDACTED] FCI, Danbury, Conn., 1,2/72  
listed. Visitors to PHILIP BERRIGAN, FCI, Danbury, 1/72  
set out.

-P-

DETAILS:

VISITORS/CORRESPONDENTS  
FEDERAL CORRECTIONAL INSTITUTION  
DANBURY, CONNECTICUT

---

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]

## FEDERAL BUREAU OF INVESTIGATION

b6  
b7C

-1-

Date February 18, 1972

[redacted]  
[redacted] Federal Correctional Institution, Danbury, Connecticut, made available the records of visits for the month of January, 1972, for inmate [redacted]  
[redacted]

<u>DATE OF VISIT</u>	<u>NAME OF VISITOR</u>	<u>TIME CHARGED</u>
January 1, 1972	[redacted]	2 Hours
January 2, 1972		No charge
January 3, 1972		1 Hour each
January 7, 1972		No charge No charge No charge No charge
January 9, 1972	WILLIAM KUNTSLER	
JANUARY 11, 1972	[redacted]	2 hours 2 hours 1 hour
January 12, 1972		No charge No charge No charge No charge
January 13, 1972		No charge No charge No charge No charge No charge No charge No charge

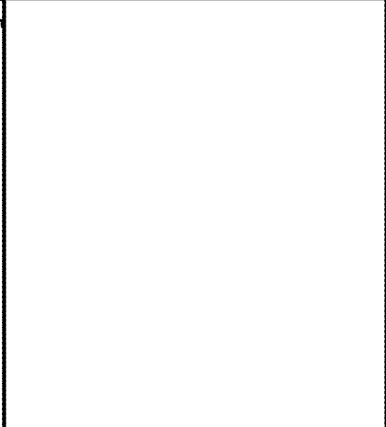
On 2/8/72 at Danbury, Connecticut File # NH 100-20708



by SA [redacted] /amp 2 Date dictated 2/13/72




NH 100-20708

-2-

b6  
b7C

January 18, 1972		1 Hour
January 20, 1972		1 Hour
January 20, 1972		No charge
January 25, 1972		1 Hour
January 28, 1972		No charge No charge No charge
January 30, 1972		No charge

It is noted that the visits on January 12 and 13 were shown to be joint visits and that the visitors met with inmates PHILIP BERRIGAN (# 70173-158) and   


On January 7, 1972,   
TERRY LENZNER and  are shown to have met jointly  
with PHILIP and  BERRIGAN.

## FEDERAL BUREAU OF INVESTIGATION

b6  
b7c-1-Date March 20, 1972

On March 10, 1972, Warden JOHN J. NORTON, Federal Correctional Institution, Danbury, Connecticut, made available records of visits during February, 1972, to inmate [redacted] Inmate [redacted] which are set forth as follows:

<u>DATE</u>	<u>NAME OF VISITOR</u>	<u>TIME CHARGED</u>
February 1, 1972	[redacted]	1 hour
February 2, 1972		1 hour
February 3, 1972		2 hours 2 hours
February 4, 1972		No charge
February 5, 1972		1 hour each
February 8, 1972		1 hour
February 10, 1972		1 hour
February 13, 1972		1 hour
February 17, 1972		No charge No charge
February 19, 1972	WILLIAM KUNTSLER	No charge
February 23, 1972	[redacted]	No charge
February 23, 1972	[redacted]	No charge

[redacted] was released on parole February 24, 1972.

On 3/10/72 at Danbury, Connecticut File # NH 100-20708  
by SA [redacted] /amp Date dictated 3/15/72

## FEDERAL BUREAU OF INVESTIGATION

b6  
b7c

-1-

Date February 18, 1972

[redacted]  
[redacted] Federal Correctional Institution, Danbury, Connecticut, made available the record of visits for the month of January, 1972, for inmate PHILIP BERRIGAN, inmate # 70173-158:

<u>DATE OF VISIT</u>	<u>NAME OF VISITOR</u>	<u>TIME CHARGED</u>
January 2, 1972	[redacted]	No charge
January 2, 1972		No charge
January 6, 1972		No charge No charge
January 7, 1972		No charge No charge
January 7, 1972		No charge No charge No charge No charge
January 9, 1972	TERRY LENZNER [redacted]	No charge
January 10, 1972	WILLIAM KUNTSLEE	1 Hour
January 11, 1972	[redacted]	No charge No charge 2 hours
January 12, 1972		No charge No charge No charge No charge

On 2/8/72 at Danbury, Connecticut File # NH 100-20708  
by SA [redacted] /amp 5 Date dictated 2/13/72

NH 100-20708

-2-

January 13, 1972




No charge  
No charge  
No charge  
No charge  
No charge  
No charge  
No charge  
No charge

b6  
b7C

January 20, 1972

1 hour

It is noted that the visits on January 12 and 13, 1972, were shown to be joint visits and that the visitors met with inmates PHILIP BERRIGAN (# 70173-158) and 

Q On January 7, 1972,   
TERRY LENZNER and  are shown to have met jointly  
with PHILIP and  BERRIGAN.



UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI (100-460495)

DATE: 4/21/72

FROM : SAC, ALEXANDRIA (100-527)(RUC)

SUBJECT: EASTCON  
(OO: PH)

Rerep of SA CHARLES A. DURHAM, JR., dated 4/11/72,  
at Philadelphia.

There are no outstanding leads remaining in the  
Alexandria Office and all evidence which was submitted to  
Philadelphia by this Office has been returned to Alexandria  
files.

UACB, this matter is being closed in the Alexandria  
Office.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]

EXP. PROC.

REC-36

EX-116/100-460495-5572

APR 25 1972

2-Bureau (100-460495)(By Courier)  
1-Philadelphia (Info)(100-51190)(RM)  
1-Alexandria (100-527)  
RMC:sfc  
(4)

NEW LEFT



70 MAY 1 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Dalbey \_\_\_\_\_  
Mr. Cleveland \_\_\_\_\_  
Mr. Ponder \_\_\_\_\_ b6  
Mr. Bates \_\_\_\_\_ b7C  
Mr. Winkler \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

NR002-WF CODE

1102AM URGENT 3-22-72 SKA

TO DIRECTOR (100-460495)

ATTENTION DOMESTIC INTELLIGENCE

BALTIMORE (100-28265)

PHILADELPHIA (100-52299 SUB L)

FROM WASHINGTON FIELD (100-52299 SUB E)

MAR 22 1972  
CONFIDENTIAL  
TELETYPE

(U)  
THE HARRISBURG DEFENSE COMMITTEE (HDC), IS-NL; EASTCON  
(DEMONSTRATIONS).

CLASS. & EXT. BY SP-5 R/W  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 3-22-80

RECORDS, DEPARTMENT OF MOTOR VEHICLES FOR THE DISTRICT OF  
COLUMBIA (DMV, DC), REFLECT DISTRICT OF COLUMBIA LICENSE NUMBER  
SIX FIVE TWO-FIVE TWO TWO IS REGISTERED TO

b2  
b6  
b7C  
b7D

FOR A NINETEEN SEVENTY VOLKSWAGEN BUS.

PUBLIC RECORDS REFLECT IS THE HUSBAND OF

SAME ADDRESS, AS ABOVE, THE LATTER EMPLOYED AT THE  
SCHOOL OF THEOLOGY, HOWARD UNIVERSITY, WDC.

HAS MADE A NUMBER OF PUBLIC ADDRESSES AND  
APPEARED IN A NUMBER OF PUBLIC DEMONSTRATIONS IN SUPPORT OF THE  
"HARRISBURG SEVEN" DEFENDANTS.

b6  
b7C

ON MARCH TWENTYONE, LAST, A SPECIAL AGENT OF THE FBI  
SERVED PARTICIPATING IN A DEMONSTRATION AT THE  
DEPARTMENT OF JUSTICE IN WDC, SPONSORED BY THE "D.C. HARRISBURG  
DEFENSE COMMITTEE".

END PAGE ONE

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF  
DATE 7-22-80 A.D.T.

NOT RECORDED  
MAY 1 1972  
CONFIDENTIAL

70 MAY 4 1972

ORIGINAL FILED IN

~~CONFIDENTIAL~~

b6  
b7c

PAGE TWO

DMV, DC RECORDS REFLECT D.C. LICENSE EIGHT ZERO FIVE-  
ONE THREE EIGHT IS REGISTERED TO [REDACTED] AND [REDACTED]  
[REDACTED] FOR  
A NINETEEN SEVENTY, FOUR-DOOR DATSUN SEDAN.

ON MARCH TWENTYONE, LAST, A SOURCE ,WHO HAS FURNISHED  
RELIABLE INFORMATION IN THE PAST, ADVISED THAT [REDACTED]  
PARTICIPATED IN THE ACTIVITIES OF THE "MAYDAY COLLECTIVE" IN  
WDC, IN NINETEEN SEVENTYONE, A GROUP WHICH ORGANIZED DEMONSTRA-  
TIONS AGAINST THE WAR IN WDC, IN MAY, SEVENTYONE. SOURCE  
STATED [REDACTED] HAS RECENTLY BEEN ACTIVE IN THE AFFAIRS OF THE D.C.  
DEFENSE COMMITTEE, LOCAL AFFILIATE OF THE HDC.

NO LOCAL DISSEMINATION WAS MADE.

ADMINISTRATIVE

RE BALTIMORE TELETYPE TO BUREAU, MARCH TWENTYONE, LAST,  
CAPTIONED, "THE HARRISBURG DEFENSE COMMITTEE, IS-NEW LEFT",  
WHICH REQUESTED IDENTITIES OF REGISTRANTS OF AUTOMOBILES  
OBSERVED AT DEMONSTRATION, SAME DATE, AT ANDREWS AIR FORCE BASE,  
CAMP SPRINGS, MARYLAND.

END PAGE TWO

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

PAGE THREE

BALTIMORE SHOULD REFER TO PARAGRAPH THREE, ADMINISTRATIVE  
SECTION, WFO TELETYPE TO BUREAU, DATED MARCH FIFTEEN, LAST,  
REGARDING [REDACTED]

SOURCE IS [REDACTED]

(S) (u)

b2  
b6  
b7C  
b7D

SPECIAL AGENT OF THE FBI IS [REDACTED]

END

SVC FBI WASH DC AND CLR

~~CONFIDENTIAL~~

Department of Justice  
Washington

April 4, 1972

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Campbell \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Miller \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Dalbey \_\_\_\_\_  
Mr. Cleveland \_\_\_\_\_  
Mr. Ponder \_\_\_\_\_  
Mr. Bates \_\_\_\_\_  
Mr. Wilkard \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Sears \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

Honorable John Edgar Hoover  
Director, Federal Bureau of Investigation  
Department of Justice  
Washington, D. C. 20530

Eastcon

Dear Mr. Hoover:

On behalf of the Internal Security Division of the Department of Justice and, in particular, Deputy Assistant Attorney General William S. Lynch and his staff, I wish to express our appreciation to the Federal Bureau of Investigation for the cooperation extended by the Bureau during the recent trial of United States v. Ahmad, et al., in Harrisburg, Pennsylvania.

Mr. Lynch has advised me that invaluable service was rendered during the trial by the following individuals: Special Agent George H. Menzel of Bureau headquarters; and

[redacted] and [redacted] all of Philadelphia. It would be impossible to specify with particularity the assistance rendered by these men over the past three months except to state that prosecuting the case without their able assistance would have been a nearly impossible task.

Mr. Lynch has also advised me that an equally high degree of assistance was rendered to him during the preparation and prosecution of the case by the following individuals in Washington, D.C.: Section Chief Robert L. Shackelford, Special Agents Fred B. Griffith, Gary O. Watt, [redacted] and Thomas Druken. Coordinating such a complex investigation and preparing for the prosecution was certainly an arduous task which was handled by these men in a most commendable manner.

COPY RETAINED IN  
PERSONNEL RECORDS UNIT

b6  
b7c

EX-100  
APR 17 1972  
35

REC-42 100-460495-5574

EX-100

6 APR 17 1972

100  
932-D  
Wackner  
62 MAY 9 1972

MAY 5 1972

MAY 3 1972

NOT RECORDED  
MAY 4 1972

CORRESPONDENCE  
THREE  
PERS. REC. UNIT

In addition to the foregoing individuals, there have been many others who have made particularly valuable contributions to the prosecution of this case. Please convey our deep appreciation through the Special Agents in Charge to those men who assisted in the investigation of the case and also those who testified as witnesses in Harrisburg from the following offices: Philadelphia, with a special note of appreciation to Special Agents [redacted] and Charles A. Durham; New York, again with a special note of appreciation to Agents [redacted] and [redacted] Baltimore, with our special appreciation to Agents [redacted] and [redacted] Minneapolis, with our special note of appreciation to Agent Thomas Moore and Buffalo, with appreciation to Agent [redacted].

b6  
b7C

Finally, Mr. Lynch has asked that I express his appreciation and thanks to the men who performed fingerprinting and handwriting analysis at the Bureau laboratory and identification divisions. Both their work and testimony at the trial reflected the high degree of professionalism which they have achieved.

Sincerely,



ROBERT C. MARDIAN  
Assistant Attorney General  
Internal Security Division

April 14, 1972

Honorable John Edgar Hoover  
Director, Federal Bureau of Investigation  
Department of Justice  
Washington, D. C. 20530

Dear Mr. Hoover:

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b6  
b7C

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b6  
b7C

Finally, Mr. Lynch has asked that I express his appreciation and thanks to the men who performed fingerprinting and handwriting analysis at the Bureau laboratory and identification divisions. Both their work and testimony at the trial reflected the high degree of professionalism which they have achieved.

Sincerely,

ROBERT C. MARDIAN  
Assistant Attorney General  
Internal Security Division



UNITED STATES GOVERNMENT

# Memorandum

TO : Assistant Attorney General  
Internal Security Division

DATE: April 21, 1972

FROM : Director, FBI

SUBJECT: EAST COAST CONSPIRACY TO  
SAVE LIVES (ECCSL)

I have received your letter of April 14, 1972, and appreciate your comments regarding assistance rendered by Special Agents of this Bureau during the investigation and trial of captioned matter. You may be assured appropriate personnel will be apprised of your kind remarks.

100-460495

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RTH/M



CODE

TELETYPE

URGENT

TO SAC PHILADELPHIA (100-51190)

FROM DIRECTOR FBI (100-460495)

EASTCON.

1 - Mr. A. Rosen

4-27-72

1 - Mr. J. P. Mohr  
1 - Mr. T. E. Bishop  
1 - Mr. N. P. Callahan  
1 - Mr. D. J. Dalbey  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

DEPARTMENT HAS REQUESTED LOGS, TAPES, AND KNOWLEDGEABLE SA

RELATIVE TO OVERHEARING OF DEFENDANT ELIZABETH MC ALISTER ON

ELECTRONIC SURVEILLANCE

b3 18 USC 2510-20

BE AVAILABLE AT HARRISBURG, PENNSYLVANIA, ON MAY

ONE NEXT IN CONNECTION WITH POST-TRIAL HEARING ON ELECTRONIC

SURVEILLANCE MAY TWO NEXT. PHILADELPHIA COMPLY WITH REQUEST AND

ARRANGE TO HAVE APPROPRIATE SA AND MATERIAL REQUESTED AVAILABLE AT

U.S. ATTORNEY'S OFFICE IN HARRISBURG MAY ONE NEXT. ADVISE BUREAU

IDENTITY OF SA WHO WILL TESTIFY.

NOTE:

See memorandum R. L. Shackelford to E. S. Miller dated 4-27-72, captioned as above, and prepared by FBG:plm.

FBG:plm  
(10)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 JAL/ML

REC-33

100-460495-5575

7 MAY 2 1972

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Wakart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 27 1972

TELETYPE

61 MAY 4 1972

TELETYPE UNIT ☒

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 19 1972

TELETYPE

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Campbell \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Miller, ES ✓  
Mr. Callahan \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Dalbey \_\_\_\_\_  
Mr. Cleveland \_\_\_\_\_  
Mr. Ponder \_\_\_\_\_  
Mr. Bates \_\_\_\_\_  
Mr. Waikart \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

NR 005 CI CODE

1006AM URGENT 4/19/72 CFR

TO DIRECTOR (100-460495) ATTN DID

PHILADELPHIA (100-51190)

FROM CINCINNATI (100-20527) P 3P

PROPOSED DEMONSTRATION PROTESTING RENEWED VIETNAM WAR ACTIVITY  
SPONSORED BY CINCINNATI PEACE COALITION, CINCINNATI, OHIO-  
COVINGTON, KENTUCKY AREAS, APRIL THIRTEEN-FOURTEEN SEVENTYTWO  
IS - NEW LEFT; EASTCON

RELIABLE SOURCE ADVISED TODAY THAT THEODORE J. "JOHN" GLICK,  
HARRISBURG EIGHT DEFENDANT, DID NOT APPEAR FOR SCHEDULED SPEAKING  
APPEARANCE, UNDER SPONSORSHIP OF CINCINNATI PEACE COALITION (CPC),  
AT ST JOHNS UNITARIAN CHURCH, THREE TWO ZERO RESOR STREET,  
CINCINNATI, OHIO, AT EIGHT PM, APRIL EIGHTEEN LAST. SOURCE

END PAGE ONE

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF  
DATE

CLASS. & EXT. BY  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW

REC-33 100-460495-5576

EX-112

8 MAY 2 1972

CONFIDENTIAL

70 MAY 5 1972

~~CONFIDENTIAL~~

b6  
b7c

PAGE TWO

ADVISED A [REDACTED] (PHONETIC) RESIDING CINCINNATI, OHIO, REPORTEDLY ASSOCIATED WITH HARRISBURG EIGHT DEFENSE COMMITTEE, ANNOUNCED TO PERSONS GATHERED AT ST JOHNS CHURCH, MAJORITY OF WHOM WERE ASSOCIATED WITH CPC, THAT GLICK COULD NOT COME TO CINCINNATI AT THIS TIME AS HE WAS TOO BUSY PREPARING HIS LEGAL DEFENSE FOR HIS FORTHCOMING TRIAL AT HARRISBURG.

ABOVE SOURCE FURTHER ADVISED THAT [REDACTED] CINCINNATI, OHIO CPC MEMBER, ANNOUNCED TO THOSE PRESENT THAT THE SCHEDULED FLOWER CONFRONTATION TO BE HELD AT UNIVERSITY OF CINCINNATI YMCA, CINCINNATI, OHIO, TWO PM TODAY, HAD BEEN CALLED OFF BUT THAT CPC WOULD HOLD A PEACEFUL DEMONSTRATION IN FRONT OF THE FEDERAL BUILDING, FIFTH AND MAIN STREETS, CINCINNATI, OHIO, BETWEEN FOUR AND SIX PM TODAY, WHICH HOUSES THE ARMED FORCES INDICTION STATION AND RECRUITING OFFICES. DEMONSTRATION WILL CONSIST OF PICKETING WITH SIGNS AND LEAFLETING PASSERS BY.

END PAGE TWO

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

PAGE THREE

ADMINISTRATIVE

RE CINCINNATI TELETYPES CAPTIONED AS AOBVE, DATED APRIL THIRTEEN  
AND FOURTEEN LAST.

RELIABLE SOURCE IS [REDACTED]

(~~S~~) (U)

b2  
b7D

INASMUCH AS GLICK DID NOT APPEAR AS SCHEDULED, NO FURTHER  
COMMUNICATION BEING FURNISHED BUREAU OR PHILADELPHIA UNDER EASTCON  
CAPTION.

ABOVE INFORMATION DESSEMINATED TO ONE ZERO NINTH MIG,  
OSI, NISO, SECRET SERVICE, GSA, POSTAL INSPECTORS AND USA.

CINCINNATI FOLLOWING CLOSELY THROUGH SOURCES.

END

KJB FBI WA DC CLR

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI (100-460495)

DATE: 4/28/72

FROM : SAC, WFO (100-52299) (RUC)

SUBJECT: EASTCON  
(OO:PH)

ReWFO nitel 3/22/72.

A review of captioned matter reflects no leads outstanding in this office.

In view of the above, this matter is considered RUC.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA/vr

- 2 - Bureau
- 2 - Philadelphia (100-51190)
- 1 - WFO

PHW  
(5)

cc 932-940 EX-114

REC-58

100-460495-5578

5-2  
16 APR 28 1972

NEW YORK

6 MAY 5 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

PAUL, WEISS, RIFKIND, WHARTON & GARRISON  
1775 K STREET, N. W.  
TELEPHONE: (202) 293-6370

WASHINGTON, D. C. 20006  
CABLE: LONGSIGHT WASHINGTON

NEW YORK OFFICE  
340 PARK AVENUE  
NEW YORK, N. Y. 10022  
TELEPHONE: (212) 935-8000  
CABLE: LONGSIGHT N. Y.

April 27, 1972

Edward S. Miller  
Assistant Director  
Domestic Intelligence Division  
Federal Bureau of Investigation  
315 9th Street, N.W.  
Washington, D. C.

0  
Easton

Re: United States v. Ahmad, et. al.  
Criminal No. 14950  
Middle District of Pennsylvania

Dear Mr. Miller:

Simultaneously with the delivery of this letter we are serving a subpoena for your appearance on May 2 at 10:00 a.m. in the Federal District Court at Harrisburg, Pennsylvania. A hearing is presently scheduled at that time in the above-captioned case. However, there is some possibility that the hearing will not be held on that date. In the event there is any change in the time of the hearing, we will let you know immediately.

Sincerely,

Kenneth C. Bass, III  
Kenneth C. Bass, III

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5

ENCLOSURE

HAND DELIVERED

REC-35  
EX-109

100-460495-5579

MAY 2 1972

57 MAY 8 1972

100-460495

File 5-74

# United States District Court

FOR THE

MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

EQBAL AHMAD, et al.

Crim.

No.

14950

To EDWARD S. MILLER, Assistant Director  
Domestic Intelligence Division  
Federal Bureau of Investigation  
Washington, D. C.

You are hereby commanded to appear in the United States District Court for the Middle

District of Pennsylvania at the Federal Building in the city of  
Harrisburg on the 2nd day of May 19 72 at 10:00 o'clock A. M. to  
testify in the above-entitled case.

This subpoena is issued on application of the<sup>1</sup> defendants Philip Berrigan and  
Elizabeth McAlister.

April 26, 1972.

T. H. CAMPIONE

Clerk.

*J. Thomas Menaker*  
Attorney for

defendants

By

*William J. Feltner*  
Deputy Clerk.

J. THOMAS MENAKER  
Address P. O. Box 1166  
Harrisburg, Pa. 17108

## RETURN

Received this subpoena at \_\_\_\_\_ on \_\_\_\_\_  
and on \_\_\_\_\_ at \_\_\_\_\_ I served it on the  
within named \_\_\_\_\_  
by delivering a copy to h \_\_\_\_\_ and tendering<sup>2</sup> to h \_\_\_\_\_ the fee for one day's attendance and the mileage  
allowed by law. \_\_\_\_\_

Service Fees

By \_\_\_\_\_

Travel \_\_\_\_\_ \$

Services \_\_\_\_\_

Total \_\_\_\_\_ \$

<sup>1</sup> Insert "United States," or "defendant" as the case may be.

<sup>2</sup> Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof. 28 USC 1825.

ENCLOSURE

100-460475-5579



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 28 1972

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES.	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dabey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Waikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR036 PH CODE

6:39 AM URGENT 4-28-72 SDB

TO DIRECTOR (100-460495) (ATTN. DOMINTEL)

FROM PHILADELPHIA (100-51190 SUB B)

JUNE

EASTCON

REBUTEL DATED APRIL TWENTYSEVEN, SEVENTYTWO CONCERNING  
APPEARANCE OF PHILADELPHIA SA FOR TESTIMONY AT HARRISBURG, PA.  
MAY ONE, SEVENTYTWO.

SA [REDACTED] IS AGENT WHO WILL TESTIFY IN COMPLIANCE  
WITH DEPARTMENT REQUEST.

END

SLP FBI WSH DC CLR

REC-18

EX-109

MAY 2 1972

6 MAY 5 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 NTH/MLK  
15-729

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller *EM*

FROM : R. L. Shackelford *RS*

SUBJECT: EASTCON

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop  
1 - Mr. D. J. Dalbey

DATE: 4/28/72

1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]

## PURPOSE:

To advise of service of subpoena on Assistant Director E. S. Miller, Domestic Intelligence Division, by Eastcon defense in connection with post-trial hearing at Harrisburg, Pennsylvania, 5/2/72.

## DETAILS:

Post-trial hearing on defense motion alleging evidence in this case obtained through illegal electronic surveillance scheduled for 5/2/72 at Harrisburg, Pennsylvania, before Judge R. Dixon Herman. In this connection, a defense subpoena was served on Mr. Miller on 4/28/72 calling for his appearance in court in Harrisburg at 10:00 a.m., 5/2/72. There is no indication on either the subpoena or in its cover letter as to what information is desired.

In view of short time element, copy of subpoena and cover letter was immediately made available to Departmental Attorney J. Phillip Krajewski, an assistant to chief prosecutor W. S. Lynch, by SA Fred B. Griffith. Krajewski stated a motion to quash this subpoena will be filed with Judge Herman on Monday, 5/1/72. In the event the judge does not quash, it will be necessary for Mr. Miller to appear in Harrisburg as scheduled. Krajewski will advise as soon as a decision is reached on Monday.

## ACTION:

For your information.

100-460495

FBG:djrdjr  
(7)

60 MAY 5 1972

REC-29

100-460495-5581

MAY 2 1972

JAS

EM

WGC

NEW DET

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI (100-460495)

FROM : SAC, SEATTLE (100-29996) (RUC)

SUBJECT: EASTCON  
OO: PHILADELPHIA

DATE: 4/27/72

Re Bureau airtel to Legat, Ottawa, 12/7/71;  
and Seattle letters 12/20/71 and 2/25/72.

No information has been received to indicate  
[redacted] has come from Canada  
to the State of Washington. Should [redacted] made her  
presence known, she will be interviewed as requested.

A copy of this letter is sent to Omaha because  
[redacted] parents reside in that division.

- 2 - Bureau (REG)
  - 1 - Omaha (100-7989) (Info) (REG)
  - 1 - Philadelphia (100-51190) (Info) (REG)
  - 1 - Seattle
- RBC:cmf  
(5)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/15/80 BY SP-5 JEP/mr

REC-18  
EX-116

100-460495-5582  
3  
8 MAY 1 1972

NEW LEFT.



62 MAY 9 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 2 1972

TELETYPE

NR003 PH CODE

1250AM URGENT 5-2-72 JJR

TO DIRECTOR (100-460495) ATTENTION DOMESTIC INTELLIGENCE DIVISION  
FROM PHILADELPHIA (100-51190) TWO PAGES

EASTCON

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Wikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

ARGUMENTS WERE HEARD BY USDC JUDGE R. DIXON HERMAN,  
HARRISBURG, PA., ON MAY ONE, INSTANT, REGARDING MOTIONS TO  
QUASH SUBPOENAS FOR J. EDGAR HOOVER, DIRECTOR, FBI; RICHARD  
G. KLEINDIST, ACTING ATTORNEY GENERAL; EDWARD S. MILLER,  
ASSISTANT DIRECTOR, FBI; NORMAN A. CARLSON, DIRECTOR BUREAU OF  
PRISONS; AND HARRY A. NAGLE, AUSA, MDPA, LEWISBURG, PA. JUDGE  
HERMAN QUASHED THE SUBPOENA ISSUED FOR AUSA HARRY A. NAGLE, LEWISBURG.

JUDGE HERMAN DID NOT RULE ON SUBPOENAS FOR DIRECTOR  
HOOVER, ACTING ATTORNEY GENERAL KLEINDIST, AND DIRECTOR OF  
BUREAU OF PRISONS NORMAN CARLSON BUT JUDGE HERMAN DID RULE

END PAGE ONE

EX-114

REC-21

100-460495-5584

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]

56 MAY 8 1972

MR. ROSEN FOR THE DIRECTOR

MEMO RLS-ESM  
5/2/72 JRS:GRC

[Handwritten signature]

[Handwritten initials]

[Handwritten initials]

PAGE TWO

THAT THEIR PERSONAL APPEARANCE IN HARRISBURG WAS NOT NECESSARY. JUDGE HERMAN RULED THAT IT MIGHT BE NECESSARY FOR THE RECORDS IN CUSTODY OF DIRECTOR HOOVER, ACTING ATTORNEY GENERAL KLEINDIST, AND NORMAN CARLSON TO BE PRODUCED IN USDC, HARRISBURG.

HEARINGS HAVE BEEN SET FOR NINE THIRTY A.M., MAY SECOND, NEXT, TO AFFORD DEFENDANTS THE OPPORTUNITY TO PRODUCE EVIDENCE REGARDING DISCRIMINATORY PROSECUTION AND ON THE ISSUE OF ILLEGAL ELECTRONIC SURVEILLANCES.

COURT HAS BEEN RECESSED UNTIL NINE THIRTY A.M., MAY SECOND NEXT.

E N D

PLS ACK FR TWO TU

DEB FBI WASH DC

FOR TWO TELS

CLR

CC-MR. MILLER

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 28 1972

TELETYPE

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Campbell \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Miller \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. DeLoach \_\_\_\_\_  
Mr. Cleveland \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Gale \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Wapner \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

NR014 BS CODE

6:04 PM NITEL 4-28-72 DAB

TO: DIRECTOR (100-448092) (ATTN: DOMINTEL)

PHILADELPHIA

BALTIMORE

FROM: BOSTON (100-42739) TWO PAGES

VIETNAM VETERANS AGAINST THE WAR (VVAW); INTERNAL  
SECURITY - NEW LEFT; VIDEM; EASTCON

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-15-80 BY SP-5

ON APRIL TWENTYEIGHT, INSTANT SPECIAL AGENTS OF THE FBI

OBSERVED A MOCK TRIAL OF [REDACTED]

[REDACTED], PROVIDENCE, RHODE ISLAND. THE TRIAL WAS HELD  
AT BURNSIDE PARK, PROVIDENCE BEFORE FIFTY TO SEVENTYFIVE ON-  
LOOKERS BEGINNING AT TWELVE NOON ON INSTANT DATE.

THE TRIAL CONSISTED OF TESTIMONY BY THE FOLLOWING "WITNESSES"  
WHO ACCUSED [REDACTED] OF COMPLICITY WITH WAR CRIMES COMMITTED  
BY THE UNITED STATES IN SOUTHEAST ASIA. THE MODERATOR WAS

[REDACTED] BROWN

UNIVERSITY. THE WITNESSES WERE TED GLICK, A HARRISBURG EIGHT  
DEFENDANT; [REDACTED] VVAW OF RHODE ISLAND; AND [REDACTED] 1972

[REDACTED] BROWN UNIVERSITY.

AS EACH WITNESS COMPLETED HIS TESTIMONY, HE WOULD TURN

END PAGE ONE

"cc to 150  
Adm. data deleted"

NOT RECORDED

152 MAY 8 1972

62 MAY 9 1972

ORIGINAL FILED IN 100-448092-955

BS (100-42739)

PAGE TWO

TO AN EMPTY CHAIR AND ASK, "HOW DOES THE DEFENDANT [REDACTED]  
[REDACTED] REPLY TO THESE ACCUSATIONS?" AT THE CONCLUSION OF  
THE MOCK TRIAL, THE SPECTATORS AND PARTICIPANTS DEPARTED  
WITH NO FURTHER DEMONSTRATION. THERE WERE NO ARRESTS,  
INJURIES, OR VIOLENCE.

ADMINISTRATIVE:

OBSERVING AGENTS WERE SAS [REDACTED] AND JOSEPH P.  
FINNEGAN.  
END

cc- [REDACTED]

ST  
A  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 2 1972

TELETYPE

Shafford

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Walkart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR018 PHPPLAIN

11 30 PM 5-2-72 URGENT R J C

TO DIRECTOR (100-460495) ATTENTION DOMESTIC INTELLIGENCE DIVISION)  
FROM PHILADELPHIA (100-51190) 5P

EASTCON

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 KJA/K

RE MYTEL DATED MAY ONE LAST.

USDC RECONVENED TEN A.M., THIS DATE, HARRISBURG,  
BEFORE USDJ R. DIXON HERMAN. PURSUANT TO JUDGE HERMAN'S  
DIRECTION, MARK BIALLAS AND LEROY AMEN, BOTH FROM U.S.  
DEPARTMENT OF JUSTICE, APPEARED AND TESTIFIED CONCERNING  
STEPS WHICH WOULD BE REQUIRED TO RETRIEVE GOVERNMENT FILES  
RELATIVE TO VIOLATIONS OF TITLE EIGHTEEN, USC, SECTION ONE  
SEVEN NINE ONE (CONTRABAND STATUTE).

JUDGE HERMAN DID NOT RESOLVE ISSUE AFTER THE ABOVE TESTIMONY.

THEREAFTER, SA [REDACTED] TESTIFIED CONCERNING  
ELECTRONIC SURVEILLANCE IN THE PHILADELPHIA DIVISION, WHEREIN

END PAGE ONE

CORRECTION PAGE ONE, PARA TWO, LAST SENTENCE, WORD FOUR SHOULD BE

"CONTRABAND".

61 MAY 10 1972

22 MAY 4 1972

5-729



PAGE TWO

[REDACTED] WAS POSSIBLY OVERHEARD. SA [REDACTED]

b6  
b7c

TESTIFIED THAT ANY LEADS BASED ON THIS ELSUR WOULD HAVE ORIGINATED FROM HIM AND/OR WOULD BE DIRECTED TO THE FILE PERTAINING TO THE ELSUR UNDER HIS CONTROL AND THERE WERE NONE. HE TESTIFIED THAT THE TAPE RECORDING AND TRANSCRIPT WERE MAINTAINED IN LOCKED CABINET AND THAT NO INFORMATION FROM THIS ELSUR WAS UTILIZED IN CAPTIONED CASE.

SA [REDACTED] TESTIMONY COMMENCED PRIOR TO THE LUNCHEON BREAK AND WAS CONCLUDED SUBSEQUENT TO THE RECONVENING OF COURT AT TWO P.M.

BUREAU SUPERVISOR GARY OWEN WATT TESTIFIED CONCERNING THE SEARCH OF ELSUR INDICES AT SEAT OF GOVERNMENT. HE TESTIFIED CONCERNING METHOD OF SEARCH AND FACT THAT INDICES ARE FILED BY NAME.

AT CONCLUSION OF SA WATT'S <sup>1</sup>TESTIMONY, DEFENSE COUNSEL ALLEGED A PROPER SEARCH HAD NOT BEEN MADE TO DETERMINE IF, IN FACT, THERE WERE OVERHEARINGS OF DEFENDANTS AND/OR THEIR  
AND PAGE TWO

PAGE THREE

ATTORNEYS AND INDICATED THAT IN VIEW OF THE TESTIMONY ELICITED, IT WOULD BE NECESSARY TO CALL ADDITIONAL AGENTS FROM THE PHILADELPHIA DIVISION TO ESTABLISH TAINT FROM THE SURVEILLANCE.

GOVERNMENT PROSECUTOR LYNCH OPPOSED THESE MOTIONS, INDICATED THE TESTIMONY CLEARLY REFLECTED THAT THE ELECTRONIC SURVEILLANCE HAD NOT LED TO ANY EVIDENCE OR LEADS WHICH WERE USED IN THIS CASE.

JUDGE HERMAN REFUSED TO RULE ON THIS ISSUE BUT INDICATED THAT IF THE DEFENDANTS FELT TESTIMONY OF OTHER AGENTS WOULD ESTABLISH TA/INT IN THIS CASE, THE DEFENDANTS SHOULD SUBPOENA SAID AGENTS. AT THIS POINT IT WAS INDICATED IN OPEN COURT THAT SA CHARLES A. DURHAM, EASTCON CASE AGENT, SUPERVISOR [REDACTED] CASE SUPERVISOR, AND SAC JOE D. JAMIESON, HEAD OF THE PHILADELPHIA DIVISION, WOULD BE SUBPOENAED.

END PAGE THREE

b6  
b7c

PAGE FOUR

THE REMAINDER OF THE AFTERNOON WAS DEVOTED TO AN EFFORT BY THE DEFENSE TO ESTABLISH THAT THIS WAS A DISCRIMINATORY PROSECUTION. THEY CALLED DELORES (?) DONOVAN, INVESTIGATOR FOR RAMSEY CLARK DURING COURSE OF TRIAL, TO TESTIFY THAT WHILE REVIEWING SUBPOENAED RECORDS DURING THE TRIAL, SHE SAW INCIDENTS WHERE OTHER DEFENDANTS HAD BEEN ~~PUNISHED~~ FURNISHED ADMINISTRATIVELY FOR POSSESSION OF CONTRABAND LETTERS. AFTER REFUSING TO ANSWER QUESTIONS ON CROSS EXAMINATION BY MR. LYNCH ON THE BASIS OF ALLEGED ATTORNEY CLIENT PRIVILEGE, JUDGE HERMAN COMMENTED THAT THIS ACTION WAS REPREHENSIBLE FOR A MEMBER OF THE BAR.

THEREAFTER, RICHARD HEANEY, ASSOCIATE DIRECTOR, BUREAU OF PRISONS, TESTIFIED CONCERNING HIS EXPERIENCE IN THE BUREAU OF PRISONS AS TO PRACTICES, GUIDELINES, AND THE ENFORCEMENT OF MAILING REGULATIONS AND VIOLATIONS OF TITLE EIGHTEEN, USC, SECTION ONE SEVEN NINE ONE.

END PAGE FOUR

PAGE FIVE

FINALLY, MAURICE D. GEIGER, MR. BIALLAS' PREDECESSOR IN THE DEPARTMENT OF JUSTICE, TESTIFIED AS TO HIS EXPERIENCE IN RETRIEVING RECORDS WHICH REFLECT VIOLATIONS OF LAW UNDER A GIVEN STATUTE.

COURT WAS AJOURNED UNTIL TEN A.M., MAY THREE, NEXT.

E N D

UNITED STATES GOVERNMENT

# Memorandum

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop  
1 - Mr. D. J. Dalbey

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Wakart \_\_\_\_\_  
Walters \_\_\_\_\_  
Royars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

TO : Mr. E. S. Miller

DATE: 5/2/72

FROM : R. L. Shackelford

1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

SUBJECT: EASTCON

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-5

## PURPOSE:

To advise of results of post-trial hearings before Judge R. Dixon Herman, Harrisburg, Pennsylvania, 5/1/72.

## BACKGROUND:

You were previously advised of the receipt of a subpoena duces tecum served on the Director and of a subpoena served on Assistant Director E. S. Miller, calling for his appearance in Harrisburg, 5/2/72. These subpoenas were in connection with post-trial hearings regarding defense motions concerning discriminatory prosecution and electronic surveillance.

At approximately 5:45 p.m., 5/1/72, Departmental Attorney J. Phillip Krajewski, telephonically advised from Harrisburg that the Judge did not rule on the subpoena for the Director, but that his personal appearance in Harrisburg was not necessary. He stated it might be necessary for the records in his custody to be produced before the court. Krajewski also noted the subpoena for Assistant Director Miller had been quashed, but that it would be necessary in his place for the individual who reviewed the electronic surveillance indices regarding defendants Philip Berrigan and Elizabeth McAlister, to appear in court at 9:30 a.m., 5/2/72. These records were reviewed by SA Garry O. Watt\* who has been instructed to report to Harrisburg as ordered by the court.

On 5/2/72, Departmental Attorney Paul Killian telephonically advised from Harrisburg that Chief Eastcon Prosecutor W. S. Lynch has under consideration the advisability of an updated check of the electronic surveillance indices regarding Berrigan and McAlister. When a decision is made regarding this matter, Lynch will furnish appropriate notification to us.

8 MAY 4 1972

## ACTION:

This is for your information. You will be apprised of pertinent developments in this matter.

100-460495

FBG:cae

(7) CPT

\* ASSIGNED DOMESTIC INTELLIGENCE DIVISION

80 MAY 18 1972

WGC

5 June

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Walkart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Q0

NR004 SI CODE

5:53PM NITEL 3-30-72 BRC

TO DIRECTOR (ATTEN: DID)  
PHILADELPHIA

FROM SPRINGFIELD (100-13294) (100-12390) (1P)

JAMES M. SHORTAL, SM - NEW LEFT (VVAW).

EASTCON - DEMONSTRATIONS. BUFILE ONE ZERO ZERO - FOUR SIX  
ZERO FOUR NINE FIVE.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RTH/

RE SPRINGFIELD AIRTEL TO BUREAU, MARCH SIX LAST.

ON MARCH THIRTY INSTANT [REDACTED]

[REDACTED] SOUTHERN ILLINOIS UNIVERSITY - EDWARDSVILLE (SIUE),  
EDWARDSVILLE, ILLINOIS, ADVISED A SOURCE AVAILABLE TO HIM  
ADVISED NEITHER FATHER JAMES M. SHORTAL OR ANY CONTINGENT  
FROM SIUE WILL ATTEND THE DEMONSTRATIONS AT HARRISBURG,  
PENNSYLVANIA.

SHOULD INFORMATION BE RECEIVED CONCERNING SHORTAL'S  
TRAVEL TO HARRISBURG TRIAL, [REDACTED] PHILADELPHIA AND THE BUREAU  
WILL BE IMMEDIATELY ADVISED. P.

END

TWT FBI SOG  
6 MAY 8 1972  
CLR

NOT RECORDED  
180 MAY 4 1972

100-460493 -

ORIGINAL FILED IN 100-460493-2

UNITED STATES GOVERNMENT

# Memorandum

ST  
W  
TO

TO : DIRECTOR, FBI (100-460495)

DATE: 4/27/72

FROM : SAC, SPRINGFIELD (100-13294) -C-

SUBJECT: JAMES M. SHORTAL  
SM - NEW LEFT (VVAW)  
SI 100-13294

EASTCON

SI 100-12390  
Bufile 100-460495

Re Springfield nitel to Director and Philadelphia,  
3/30/72.

Contact with sources indicates that JAMES M. SHORTAL did not attend the Harrisburg demonstrations or trial during the week of March 26, 1972. Sources further state SHORTAL is not active in any New Left, militant, or subversive type organizations. Therefore, subject's activities do not warrant further investigation.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-6 Relyon

REC 27 100-460495-5588

- ② - Bureau (1:100-460495) (RM)  
(1:100- )
- 4 - Philadelphia (2:100-51190) (RM)  
(2:100- )
- 2 - Springfield (1:100-13294)  
(1:100-12390)

RDS/jac  
(8)

b6  
b7C  
NEW LEFT  
11-11-72  
4  
20 MAY 1 1972

EXP-PROC

UNRECORDED COPY FILED IN 100-460495



62 MAY 1972

9 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

NEW FEED

FEDERAL BUREAU OF INVESTIGATION  
FOIPA  
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 27

Page 41 ~ Referral/Direct

Page 42 ~ Referral/Direct

Page 43 ~ Referral/Direct

Page 44 ~ Referral/Direct

Page 45 ~ Referral/Direct

Page 46 ~ Referral/Direct

Page 47 ~ Referral/Direct

Page 48 ~ Referral/Direct

Page 49 ~ Referral/Direct

Page 50 ~ Referral/Direct

Page 51 ~ Referral/Direct

Page 52 ~ Referral/Direct

Page 53 ~ Referral/Direct

Page 54 ~ Referral/Direct

Page 55 ~ Referral/Direct

Page 137 ~ b2, b6, b7C, b7D

Page 138 ~ b6, b7C, b7D

Page 168 ~ b7D

Page 169 ~ b7D

Page 224 ~ b2, b6, b7C, b7D

Page 225 ~ b6, b7C, b7D

Page 229 ~ b6, b7C, b7D

Page 230 ~ b6, b7C, b7D

Page 240 ~ b6, b7C, b7D

Page 247 ~ b6, b7C, b7D

Page 258 ~ b6, b7C, b7D

Page 259 ~ b6, b7C, b7D



FBI File No. 100-HQ-460495 --- Section 111

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 3 1972

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	ES
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. "ikart"	_____
Mr. Walters	_____
Mr. S. v. s.	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 010 PH CODE

4 50 PM URGENT 5-3-72 DMS

TO ACTING DIRECTOR

(ATTENTION: DOMINTEL) (100-460195)

FROM PHILADELPHIA (100-51190) 3P

460495 FDS 17 PH 5/9 E

S. J. [unclear]

EASTCON

REMYTEL, MAY TWO, LAST.

USDC RECONVENED HARRISBURG, PA., TEN AM, MAY THREE, INSTANT,  
BEFORE US DJ R. DIXON HERMAN.

AS FIRST WITNESS IN DISCRIMINATORY PROSECUTION

ASPECT, DEFENDANTS ATTEMPTED TO CALL AUSA HARRY NAGLE TO  
STAND. DEPARTMENT OF JUSTICE ATTORNEYS LED BY WILLIAM CONNELLY  
APPROACHED BENCH AND INFORMED JUDGE HERMAN OF EXECUTIVE  
PRIVILEGE PRECLUDING HIS TESTIFYING AS TO

PROSECUTIVE POLICY AND REASONING WITHOUT APPROVAL OF ATTORNEY  
GENERAL. JUDGE HERMAN DIRECTED THAT DJ ATTORNEYS PRODUCE  
ORDER SETTING OUT THIS RULE AND DELAYED HIS RULING ON NAGLE'S

END PAGE ONE

REC-18  
EX-116 100-460495-5589

8 MAY 4 1972

57 MAY 10 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-9-NH

5-29

MEMO EVS - ESM [unclear]  
5/4/72 - [unclear]

PH 100-51190

b6  
b7C

PAGE TWO

TESTIMONY. HE INDICATED HE WILL RULE IN THE GOVERNMENT'S FAVOR IF ORDER IS PRODUCED.

DEFENDANTS ENTERED THREE MOTIONS PERTAINING TO ELSUR REQUESTING A FULL TRANSCRIPT AND THE REAPPEARANCE OF SA [REDACTED] WITH SAME AT SUBSEQUENT HEARING.

DEFENDANTS ALSO INDICATED THAT SA DURHAM, SUPERVISOR [REDACTED] AND SAC JAMIESON WOULD BE SUBPOENED TO THE SAME SUBSEQUENT HEARING, WHICH THEY REQUESTED BE HELD AFTER THEY HAVE HAD TIME TO REVIEW THE TRANSCRIPT OF THE PRESENT HEARING.

DEFENDANTS ALSO REQUESTED JUDGE HERMAN MODIFY PROTECTIVE ORDER RE ELSUR TO EXTENT THAT THEY BE ALLOWED TO INFORM SUBJECT OF ELSUR [REDACTED] THAT HE WAS THE TARGET SO THAT HE MAY INSTITUTE SUIT. DEPARTMENT OF JUSTICE ATTORNEYS OBJECTED, NOTING THAT SUCH MODIFICATION AT THIS TIME WOULD BE PREMATURE. JUDGE HERMAN DELAYED RULING.

END PAGE TWO

JUDGE HERMAN GRANTED GOVERNMENT MOTION TO QUASH SUBPOENA DUCES TECUM DIRECTED TO THE ATTORNEY GENERAL FOR VOLUMINOUS RECORDS, MEMORANDA, ETC., SOUGHT BY DEFENDANTS TO ESTABLISH DISCRIMINATORY PROSECUTION CHARGE, EXCEPT FOR COUNTS ONE AND TWO CONCERNING OBTAINING RECORDS OF PREVIOUS PROSECUTIONS OF TITLE EIGHTEEN, USC, SECTION ONE SEVEN NINE ONE (CONTRABAND) ON WHICH COUNTS HE DIRECTED DJ ATTORNEYS TO "DO THE BEST IT COULD" TO PRODUCE SUCH RECORDS.

HEARING RECESSED UNTIL TEN AM, MAY FIFTEEN, NEXT.

END

IJT FBI WASH DC CLR

NOTICE OF  
CLASSIFICATION  
ACTION

File # 100-460495 Serial 5590

Classification Secret

Exempt from GDS, Category 1

Date of Declassification - Indefinite

Reviewed by 2040

RWH

Date 6/6/77

F B I

Date: 4-25-72

~~Secret~~

Transmit the following in \_\_\_\_\_

(Type in plaintext or code)

Via Airtel

~~SECRET~~

VIA COURIER

~~CONFIDENTIAL~~

To: Director, FBI (100-460495)

From: Legat, Ottawa (100-1873) (P)

Subject: EASTCON

Remyairtel 2-17-72, and BUairtel 2-24-72. u

Enclosed are three copies of  report dated 4-19-72. ~~(S)~~ (u) b7D

CLASS. & EXT. BY Sp 5/11/72

REASON - FCIM 11, 1-2.4.2

DATE OF REVIEW 4-25-72

ENCLOSURE

4 - Bureau (Enc. 3)

1 cc - Foreign Liaison Desk Direct

1 cc - Philadelphia

1 - OTT

MLI:jhc

(5)

cc. PH, BS for info

BY 0-7 5/4/72

FBC:dlk

Records -  
Place in  
following files

100-461811

100-457953

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF  
DATE 7-23-80

REC-45

EX-114

MAY 1 1972

~~SECRET~~

~~Secret~~

Classified by 2040

Exempt from GDS Category 1

Date of Declassification Indefinite

Sent 6/6/77 M ROTH

Approved: \_\_\_\_\_

56 MAY 14 1972 Special Agent in Charge

h/s sent to app office re classification

UNREC COPY AND COPY OF ENCL FILED IN

4-787 (5-27-80)

~~SECRET~~

7-15-80

NOTICE OF  
CLASSIFICATION ACTION

File #

100-460495

Serial

5590

Classified And

Extended by

sp-5 RJG/140

Reason For Extension

FCIM, II, 1-2.4.2

1

Date of Review For

Declassification

4-25-2002

~~SECRET~~

FBI/DOJ

DECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE  
DATE 01-14-2011

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>NEW YORK</b>	OFFICE OF ORIGIN <b>NEW YORK</b>	DATE <b>APR 24 1972</b>	INVESTIGATIVE PERIOD <b>5/23/71 - 4/5/72</b>
TITLE OF CASE <b>ELIZABETH ANN MC ALISTER aka</b>		REPORT MADE BY <b>[REDACTED]</b>	TYPED BY <b>ams</b>
CHARACTER OF CASE <b>SM - NEW LEFT (EXTERMIST)</b>		<b>CONFIDENTIAL</b>	

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REFERENCES

NYrep of [REDACTED] dated 6/16/71.  
 CIREP of SA [REDACTED] dated 8/4/71.

- P -

ADMINISTRATIVE

This report is not being classified "~~Confidential~~", in view of the fact that subject's activities have been speeches open to the public, and adequately covered by the news media.

Copies of this report are being sent to the Philadelphia Division inasmuch as Philadelphia is Office of Origin in case captioned "East Coast Conspiracy to Save Lives (ECCSL) - DGP - Kidnapping - Sabotage." PHfile 100-51919. Bufile 100-448665.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE:		

- ⑤ - Bureau (100-461429) (RM)  
 (1-100-448665) - 100-460495  
 2 - Philadelphia (100-51919) (RM)  
 3 - New York (100-169327)  
 (1-100-168839)

100-460495-

170 APR 28 1972

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

CLASSIFIED BY **SP-5 [REDACTED]**  
 REASON - FCIM 11, 1-2.4.2  
 DATE OF REVIEW **4-24-92**

APPROPRIATE AGENCIES  
 AND FIELD OFFICES  
 ADVISED BY ROUTING  
 SLIP(S) OF

62 MAY 19 1972

COVER PAGE

~~CONFIDENTIAL~~

ORIGINAL FILED IN



NY 100-169927

ADMINISTRATIVE (Cont'd)

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Herein after called EASTCON.

~~CONFIDENTIAL~~

It is noted that subject is on Category I of the ADEX, however, previous reports, instant report, or a comprehensive LHM will not be submitted to Secret Service in view of the information contained in these reports which information has in part been used as evidence in the EASTCON trial at Harrisburg, Pennsylvania.

The subject's known activities have been relegated to merely speaking engagements, her speeches are paraphrased in instant report. A fuller text of subject's speeches at Waterbury, Connecticut, and the complete transcript of subject's interview on radio station WATR, Waterbury, Connecticut, are contained in New Haven report of SA [ ] dated 8/26/71, and captioned EASTCON.

The full text of subject's speech on the VVAW rally at Brooklyn, New York, on June 20, 1971, is contained in the subject's New York file. This speech was taped and is mostly unintelligible due to the audibility of the subject's voice. A fuller text of subject's speech on the Viet Nam war at the University of North Carolina at Charlotte (UNCC), and the taped transcript of the subject's speech at Davidson College, Davidson, North Carolina are contained in Charlotte report of SA [ ] dated 10/21/71, and captioned EASTCON. A complete text of subject's speech at Ursuline Academy, Cincinnati, Ohio, is contained in Cincinnati report of SA [ ] dated 11/12/71, and captioned EASTCON. The complete text on taped transcript of subject's statements at St. John Unitarian Church, Cincinnati, Ohio, is contained in Cincinnati report of SA THOMAS P. SCOLLARD, dated 3/8/72, and captioned EASTCON. A fuller text of the subject's speech at St. Thomas Aquinas Church, Storrs, Connecticut, is contained in New Haven report of SA [ ] dated 3/16/72, and captioned EASTCON.

The subject made a speech on 7/28/71 at St. Thomas Moore Neuman Center, Columbus, Ohio. This information is not reported in instant report inasmuch as it was previously submitted in referenced Cincinnati report. It is noted that

- B -  
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NY 100-169927

ADMINISTRATIVE (Cont'd)

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the contents of this report deal with the subject insofar as a security investigation is concerned, and does not incorporate criminal matters as previously reported by the field under the EASTCON caption.

Characterizations are used in this report where Bureau approved characterizations were available.

The Agents who observed subject's appearance are listed as follows:

6/8/71 at Waterbury, Connecticut, SAS [redacted]  
and [redacted]

10/13/71 at Charlotte, North Carolina, SAS [redacted]  
[redacted] and [redacted]

10/13/71 at Davidson, North Carolina, SAS [redacted]  
[redacted] and [redacted]

11/7/71 at Cincinnati, Ohio, SAS [redacted]  
and [redacted]

3/11/72 at Storrs, Connecticut, SAS [redacted]  
and [redacted]

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b7C

INFORMANTS

Identity of Source

File Number Where Located

NY T-2

100-169927 Serial 154

NY T-4

100-169927 Serial 160-169

NY T-5

100-169927 Serial 175

NY T-6

100-169927 Serial 178

NY T-7

100-169927 Serial 189

CN source not further  
identified

- 9 -  
COVER PAGE

~~CONFIDENTIAL~~

NY 100-169227

~~CONFIDENTIAL~~

LEAD

NEW YORK

AT NEW YORK, NEW YORK. Will continue coverage  
of subject's activities.

<sup>D</sup>  
COVER PAGE

~~CONFIDENTIAL~~

NY 100-169827

1. ☒ Subject's name is included in the ADEX.
2. ☒ The data appearing on the ADEX Card are current.
3. ☐ Changes on the ADEX Card are necessary and Form FD-122 submitted to the Bureau.
4. ☒ A suitable photograph ☒ is ☐ is not available. **CONFIDENTIAL**  
Date photograph was taken 1/12/71
5. ☐ Subject is employed in a key facility and \_\_\_\_\_ is charged with security responsibility. Interested agencies are \_\_\_\_\_
6. ☐ This report is classified \_\_\_\_\_ because (state reason)

7. ☒ Subject previously interviewed (dates) January 12, 1971  
☒ Subject was not reinterviewed because (state reason) at time of interview on January 12, 1971, subject was under arrest by Bureau Agents and refused any statement. Subject has not been reinterviewed in view of her pending trial regarding indictment issued by FGJ on 1/12/71 at Harrisburg, Pa.

8. ☐ This case no longer meets the ADEX criteria and a letter has been directed to the Bureau recommending cancellation.
9. ☐ This case has been reevaluated in the light of the ADEX criteria and it continues to fall within such criteria because (state reason)

10. ☒ Subject's ADEX card is tabbed Category ☒ I ☐ II ☐ III ☐ IV  
☒ Subject's activities warrant such tabbing because (state reasons) subject advocates the building of communities whose sole function is draft board break-ups and openly advocates destruction of property.
11. ☒ Security Flash Notice (FD-165) to Identification Division:  
☒ Submitted 4/5/72 (date) Placed ☐ Yes ☐ No
12. ☒ Subject is Extremist in Category I of ADEX and Stop Notice has been placed with NCIC. **CONFIDENTIAL**

NY 100-169927

~~CONFIDENTIAL~~

NON-SYMBOL SOURCE ADMINISTRATIVE PAGE


INFORMANTS

Identity of Source

File Number Where Located

NY T-1

100-169927-170 Serial 188



(Protect Identity)

b6  
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b7D

NY T-3

100-169927-170



(Protect Identity)

~~CONFIDENTIAL~~

**UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION**

DECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE  
DATE 01-14-2011

Copy to:

**CONFIDENTIAL**

Report of:

Date:

APR 24 1972

Office: New York, New York

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b7C

Field Office File #:

100-169,27

Bureau File #: 100-461429

Title:

ELIZABETH ANN MC ALISTER

Character:

SECURITY MATTER - NEW LEFT (EXTREMIST)

Synopsis:

Subject's activities consists of speech making appearances around the country in which she emphasized communities of resistance must grow at the grass root level, in order to change the priorities of the US Government. Speeches set forth. Residence and employment set forth.

- P -

DETAILS:I. BACKGROUNDA. Residence and Employment

The subject is presently residing at the convent of the Religious of the Sacred Heart of Mary, and is a Roman Catholic nun under the jurisdiction of that Order. Since her arrest on January 12, 1971, the subject has been on a leave of absence, and has been unassigned to any duties within the Order.

NY T-1

March 2, 1972

CLASS. & EXT. BY SP-5 RBL/EN  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 4-24-92

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF Class  
DATE 7-22-80

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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II. ACTIVITIES

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On May 23, 1971, the subject attended a "Conference on the Bill of Rights" in New York City. The Conference was sponsored by the Citizens Committee for Constitutional Liberties. The subject spoke on the arrest of the BERRIGAN brothers, and the conspiracy charges against them. She then spoke on the arrest of the Harrisburg Six.

NY T-2  
May 28, 1971

The Harrisburg Six is the name ascribed to six persons, one of which includes Sister ELIZABETH MC ALISTER, indicated as conspirators of the Federal Grand Jury in Harrisburg, Pennsylvania, charging them on January 12, 1971, with plots to destroy government property, and to kidnap presidential advisor, HENRY KISSENGER.

On June 7, 1971, Special Agents (SAs) of the Federal Bureau of Investigation (FBI) observed the subject speak to the Waterbury Committee of Conscience, St. John Episcopal Church, Main Street, Waterbury, Connecticut.

In her speech, the subject said the main priority of the Harrisburg Six is to end the war in Vietnam. She stated law and order does not exist today, but rather a national police force, intimidation of dissent, excessive use of force, and misuse of law. The FBI, she stated, is accountable to no one, and American society is a society of war, bent on war, and death, with an obsession for death.

The subject related there is a need for the people to enter into resistance and referred to attacks on Selective Service System, that is, draft board raids as an example of resistance. She said people must look for new forms of resistance for national health and decency, as there is no longer a free society, but something close to a police state.

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On speaking of change in American society, she stated it will take forty or fifty years to dismantle the military and for a new outlook of the future population on wealth and environment. She stated this would require a big change, that people may be forced to give up their homes, jobs, reputation, money, and possibly their freedom. She stated it is not a question of overthrowing the government, but change the attitude of people that will cause a change in national priorities.

After the subject's speech there was a question and answer period. In response to a question concerning the reason for the destruction of draft files, she stated it was only the destruction of paper over and against the destruction of people.

On June 8, 1971, the subject appeared on "Sounding Board", a radio program on station WATR, Waterbury, Connecticut. The co-hosts were JAMES SULLIVAN and GUY LEGEYT.

At this interview the subject spoke of civil disobedience, and stated that civil disobedience and the willingness to go to trial and jail is an action rooted in respect for the system of law and not a step towards anarchy.

The subject spoke of draft board actions and public opinion stating that in towns where draft board raids occurred, public opinion was on the side of the resistance, although people would not do the act themselves. She related the first purpose of the draft board action is interfering with the operation of the Selective Service System. She further stated the second purpose is the more important purpose, that of communicating with the public. She related that people will not understand at first about the purpose of draft board actions. However, eventually draft board actions will find their own meaning and place in history, and people will understand the message behind them.

The subject said to her mind, the peace movement is much larger than the war in Vietnam, and that it touches all the attitudes and policies that exist among peoples.

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NY 100-169927

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If these attitudes can be changed, then it will reflect in government policy.

NY T-3

June 9, 1971

On June 16, 1971, the following statement of the subject was read and distributed at an anti-war program at the Village Gate, a night club in Greenwich Village, New York, New York. The statement read as follows:

"In response to many reactions to the "superseding indictment" of April 30th, there are some obvious questions to be dealt with. One most frequently asked is - in one form or another - "Did Sister Elizabeth write that?" Legal considerations make it impossible to answer that question directly, but hypothetically, one could say:

Suppose they are authentic,

- why do they exist?

- why and at what time would the ideas they contain have been discussed?

- what might the next moment in the conversation be?

The following is an effort to give a framework for dealing with these questions. One further observation first: if the letters are authentic, they are necessarily of a highly personal nature, a shorthand conversation in which very little is explained. The horror is that such personal exchanges should appear on page 10 of the New York Times.

I. Recent events reveal again national priorities:

Demonstrations of peace people in Washington, Boston, San Francisco and New York, of Blacks in Brooklyn and Harlem, of aged in mid-town Manhattan have shown anew the thwarted hopes, the frustrations of people old and young. Perhaps the most moving expressions of the past months have come from Vietnam Veterans - from Calley to Kerry - who have made us face, as nothing else has to date, the horror of a war we have allowed to continue and done so little to alter.

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In the midst of turmoil at home and abroad, the characteristic response of the Nixon Administration has been an emphasis on law and order at home and an escalating war abroad.

A. Law and order

What happens to justice when law and order become a national priority? A misuse system of justice can destroy freedom and create crime. A national police force, false arrests, invasion of privacy with its future total potential, intimidation of dissent, denial of due process, corrupt officials, excessive use of force - all can destroy freedom and create crime. On an institutional level, there is in this country an FBI accountable to no one, an Attorney General who seeks almost unlimited power with regard to citizens' privacy, and a President who wages a war in defiance of human decency, law and the will of the people and is called courageous for it by some.

The obvious and instinctive response to crime or turbulence is repressiveness. But turbulence cannot be disciplined like a child, particularly when the roots of it are in injustice. Until the basic human needs of all people are met, unrest cannot be stifled - either by force or by admonitions to respect the law.

B. War

Our society is bent on war and death as its normal activity. Our resources are being turned more and more in that direction. In Southeast Asia, we wage a wasteful, long-lasting war with no political or moral justification. War crimes have become a matter of course. Witness the Calley trial, the testimony of Vietnam Veterans and most recently that of Congressman McCloskey. A mountain of facts are available to us about this war and its crimes. We see, we hear, and from the voices of people as disparate as Bishop Sheen, U Thant, and General Ridgeway, we are given an understanding of the futility and moral insanity of what we are doing.

Working and middle class people are beginning to feel the effects. It is no longer a war that pays; but it is one for which they must pay in money and in freedoms. The aged, the poor, the blacks are deprived of essential services. The people of the third world die. And our young people become more and more alienated. If they are restless, turbulent, if revolutionary, the hardening of the arteries of those who could alter priorities is at least

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NY 100-169927

equally responsible.

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Faced with these conditions, what is the recourse for men and women of conscience, for those who seek justice for their fellow men? This leads to a second point.

## II. Need for resistance

Most of those who came into whatever exists of a peace movement came because of the war in Vietnam. It soon became obvious that the war was not an isolated phenomenon: it was part of the technique to keep the economy at a high level, part of a great spiritual famine in the land. The war in Vietnam was the overseas equivalent of the domestic policy at home. To overcome the materialistic philosophy inherent in these policies, the military-economic complex must be confronted and a new outlook on allocations of natural resources and wealth has to develop. A new spirit must direct the nation whereby more than lip-service is given to the principle on which that nation was founded: "All men are created equal."

Faced with intransigence of the government in regard to the war and its causes, many sought means to express their moral indignation. Many named in this indictment were involved in actions against the Selective Service System. These began in October, 1967 with the Baltimore 4, which - like all of the first phase - was an act of personal moral witness. They gradually became more politicized when more and more people came to assume responsibility for these acts: 350 for Delaware and 300 for Union City and Elizabeth, New Jersey.

Throughout and beyond all of these actions was the search for new forms of resistance. There is always an on-going dialogue among serious people "as to how to oppose the over-whelming power of unjust governments." (Cf. 4th paragraph of original joint statement, Harrisburg Report #2). The on-going question is: "What more can we do?" That question is not answered by a fragment of the dialogue. There are moments in it of frayed nerves, frustration, even fear. But in the evolving consciousness, a perspective is or will be realized. In the "peace movement" it was recognized that preparation for long periods of discouragement was needed. The early moments in this as in any movement will break up and be re-formed many times. Many will drop out or be destroyed on one way or another. A constant effort to start

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over is called for without escalating out of existence. This is necessary because war is too close to the heart of technology. As first priority, there is the tragic importance of ending this war: always recognizing the great difficulty of doing this. It is not an extra-curricular activity or a matter of keeping all one has - good name, job, home, income. Any serious change costs very dear.

Dialogue on such subjects must be allowed to develop. Serious problems occur, however, when it is "invaded" by one who does not participate, or participates to use it for his own purpose of "informing." This is particularly dangerous when what is reported is a movement out of a much longer process. Whether "informers" are as wide-spread as is sometimes believed, fear of that kind of infiltration exists everywhere and makes serious conversation almost impossible.

Placed against the above background and looked on as merely one phase of a conversation, is it not possible to consider that the letters could have been written, expressing concepts that were later on rejected? Are people to be indicted (and convicted) for thinking aloud (since that is what letters are)? Are we to accept the authenticity of the people who wrote on February 8th:

"We are neither bombers, nor kidnappers, nor conspirators. In principle and in fact, we have rejected all acts such as those of which we have been accused..."

Or are we to accept the allegations of a Justice Department which having twice named Father Daniel Berrigan as a ring-leader of this so-called plot, drops his name from the new indictment without explanation?

The cause for this may be found in the fact that as the war goes on and the justification for it becomes shabbier, it has become necessary to make examples of those who resist it to show that the kind of dissent will not be tolerated. Hence the role of Army intelligence computerizing citizens to know and punish those who oppose the war. The violence that keeps the war going is invading more and more the legitimate structures of our society. The recourse of decent people is narrowing and the possibility of a hearing in the legal process is being diminished by the corruption of the process itself. (Cr. section on the

NY 100-169927

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new indictment). We can expect, then, that any form of significant resistance will be met with harsh legal reprisals. And this is a terrifying deterrent to good people. It even infects the quality of relationships between people, and this is the most serious implication of all".

[ NY T-4  
June 17, 1971 ]

(u)

On June 20, 1971, the subject participated in a Vietnam War Veterans Against the War (VVAW) rally in Brooklyn, New York, where she was a guest speaker and spoke in opposition to the war. Her speech is as follows:

The subject stated that Americans must look to their government as a government which is basically for Americans. She related the nation's priority or justice has gone "to the winds". The subject said a resistance must be organized, and it must be open, and that the war criminals at the highest level must be tried. The war criminals she stated are Mr. NIXON, Mr. AGNEW, Mr. MITCHELL and Mr. HOOVER. She stated that this type of resistance would be a new form of resistance and related that another new form of resistance would be refusal to testify before a grand jury.

The subject closed her speech with "let us today dedicate ourselves to that task of liberating the powers of each individual for the good of all mankind, and then go out from here and begin to work with our neighbors to find the forms of resistance that are so necessary to the health and future of our society and the rest of the world".

[ NY T-4  
June 21, 1971 ]

(u)

The VVAW is a national veterans organization whose first stated objective is the immediate withdrawal of all American troops from Vietnam.

The subject attended the annual "Guardian" picnic held at Arrow Park, Monroe, New York, on September 18, 1971, where she was guest speaker. The subject spoke in sympathy for the prisoners in the Attica prison rebellion.

NY T-5  
September 28, 1971

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NY 100-169927

"THE "GUARDIAN" FORMERLY KNOWN AS  
"NATIONAL GUARDIAN" WEEKLY GUARDIAN  
ASSOCIATES, INCORPORATED

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The "Guide to Subversive Organizations and Publications", revised and published as of December 1, 1961, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D. C., contains the following concerning the "National Guardian":

- "1. ...established by the American Labor Party in 1947 as a "progressive" weekly... it has manifested itself from the beginning as a virtual official propaganda arm of Soviet Russia."

The February 3, 1968 issue of the "National Guardian" announced that as of the issue of February 10, 1968, the "National Guardian" would henceforth be known as the "Guardian".

The May 10, 1969 issue of the "Guardian" is self-described as an "independent radical newsweekly" and is published by Weekly Guardian Associates, Incorporated. The "Guardian" lists its address as 197 East 4th Street, New York, New York.

The February 12, 1968 issue of the "New York Times" carried an article entitled, "Radical Editors Say Their Job Is In 'Movement'". This article stated that the first issue of the "Guardian" was dedicated by the paper's staff "To those heroic Liberation fighters who last week began a major offensive against American Imperialism in South Vietnam."

This article quoted one of the editors as saying that "Our job is to build a Radical Movement. To quote the Cuban revolutionaries, we are not only to write about it, but also to move along with it--we are movement people acting as journalists."

"The 'Guardian' takes a strong left position, but it is not identified with any organized group because it believes that an American left ideology is still in the making. One of its purposes is to break away from the cliches of the left ideology of the past."

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This article concluded by stating that the "Guardian" is considered the largest radical weekly in America.

APPENDIX

1.

AMERICAN LABOR PARTY

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The "Guide to Subversive Organizations and Publications," revised and published as of December 1, 1961, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D.C., contains the following concerning the American Labor Party:

"AMERICAN LABOR PARTY

- "1. 'For years, the Communists have put forth the greatest efforts to capture the entire American Labor Party throughout New York State. They succeeded in capturing the Manhattan and Brooklyn sections of the American Labor Party but outside of New York City they have been unable to win control.'  
(Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 78.)
- "2. 'Communist dissimulation extends into the field of political parties forming political front organizations such as the \* \* \* American Labor Party. The Communists are thus enabled to present their candidates for elective office under other than a straight Communist label.'  
(Internal Security Subcommittee of the Senate Judiciary Committee, handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.)"

On October 7, 1956, PETER HAWLEY, New York State Chairman, American Labor Party, publicly announced the American Labor Party State Committee unanimously approved a resolution dissolving the organization and ordering the liquidation of its assets.

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On October 13, 1971, SAS of the FBI observed the subject address a group of 250 students at the University of North Carolina at Charlotte (UNCC), North Carolina. In this speech subject briefly gave a history of her indictment by the Federal Grand Jury set at Harrisburg, Pennsylvania. However, she made no comments as to the validity of the charges made against her.

She expressed her opposition to the continuation of the war, and said the war was symptomatic of the social ills of this country. She related that the FBI and J. EDGAR HOOVER are not accountable to anyone for their actions, and that mass arrests are becoming common, as happened at the peace demonstrations in Washington, DC, in May, 1971. She also complained of the conditions in the nations prisons.

The subject stated that many of her friends have chosen resistance after seeing what is happening in the country today. She related that resistance does not mean violence as violence accomplishes nothing. She stated it is best that people who oppose violence, make the changes in the country, and admonished that if these people did not those advocating violence may do so. She closed her speech by saying that she refused to sign the UNCC certificate pertaining to the advocacy of violence not because she advocates violence, but because it violates her rights under the Fourth Amendment.

On October 13, 1971, the subject refused to sign the UNCC certification stating that she would not advocate the overthrow of the government in her speech to be given on the same date. She later advised the officials of UNCC that although she would not sign the certification, she would orally agree not to advocate the overthrow of the United States Government in her

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NY 100-169927

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speech.

NY T-6

October 13, 1971

On October 13, 1971, SAS of the FBI observed the subject address a group of approximately 125 students and adults at the Spencer Love Auditorium, Davidson College, Davidson, North Carolina.

In her speech, the subject spoke of her fear that President RICHARD M. NIXON would be re-elected in 1972. She called the president's economic policies and trip to China a "smoke screen" to cover up the war. She then turned to national priorities, and stated the first national priority is "law and order", but she wondered what happened to "justice". She stated that "make" order a priority as in our recent history justified not only the abuses of justice, but the violation of law itself.

The second priority she said is war. She related that America's resources are more and more being used for military and para-military purposes. She related the American preoccupation with war is wreaking havoc on the poor, and on those who have a sense of right and wrong.

She related she is not interested in overthrowing the United States Government, but is interested in changing attitudes in people as a people, and changing our priorities as a people. She stated these changes would be reflected in the people's representatives and therefore in the national policy.

SAS of the FBI observed the subject at a speaking engagement sponsored by the Christian Family Movement, a religious organization affiliated with the Roman Catholic Church. Her speech was delivered at the Ursuline Academy, 5535 Pfeiffer Road, Cincinnati, Ohio.

In her speech, the subject spoke of the Christian community having to evaluate its values. She said the priorities of the nation must be looked at, and that the priority of law and order has resulted in abuses of the law itself. The

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NY 100-169927

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subject stated that some of these abuses were a national police force, false arrests, invasion of privacy of citizens, and intimidation of dissent.

She stated the nation's second priority is the priority of glory and death. She related America is a society programmed for war and used the war in Indochina as an example. She said the Christian community must respond to the problems of priorities as they exist now in the nation. She related one way of responding is to disassociate themselves from the system, meaning resistance and revision of living according to a whole new set of values. She warned her audience however, that any form of resistance will be met with the "harshest action of legal reprisals".

The subject said that Christians must decide how they will address themselves as individuals, and as a Christian community to the nation's priorities stressing that the Christian community should be a community of concern for action, a community that is small and poor, because they choose to be poor, a community that is in the Spirit, is cheerful and passionate for justice.

On February 12, 1972, the subject delivered a speech during the "People's Panel on the War in Viet Nam, and Its Effectiveness" at St. John Unitarian Church, 320 Reson Street, Cincinnati, Ohio. The subject spoke against the war in Viet Nam, and the policies of the United States Government. She criticized the United States Government in choosing Harrisburg, Pennsylvania as a location in the Harrisburg Six trial, and also criticized the choosing of jurors for this trial.

The subject in a question and answer session also spoke of the Christian church as a body having failed in its Christians duties by not protesting the war, and also criticizing the President's economic policies.

NY T-7  
February 12, 1972

- 13 -

~~CONFIDENTIAL~~

NY 100-169927

~~CONFIDENTIAL~~

On March 11, 1972, SAS of the FBI observed the subject speak at St. Thomas Aquinas Church on the campus of the University of Cincinnati, Storrs, Connecticut. In her speech entitled "Religious Roots of Non-Violent Resistance". The subject traced a history of religious protests using biblical examples.

She spoke of the war in Viet Nam and alleged United States crimes there. The subject denied involvement in any conspiracy and accused FBI Director J. EDGAR HOOVER of making accusations, and then tried to find evidence to back up these accusations.

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UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
New York, New York

In Reply, Please Refer to

File No. Bufile 100-461429  
NYfile 100-169927

~~CONFIDENTIAL~~

Title Elizabeth Ann Mc Alister

Character Security Matter - New Left  
(Extremist)  
Reference is made to report of Special

Agent [redacted] dated and captioned as above at  
New York.

b6  
b7c

All sources (except any listed below) whose identities  
are concealed in referenced communication have furnished reliable  
information in the past.

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop

DATE: 5-4-72

FROM : R. L. Shackelford

1 - Mr. D. J. Dalbey  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

SUBJECT: EASTCON

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

## PURPOSE:

This is to advise of results of post-trial hearings at Harrisburg, Pennsylvania, 5-3-72.

## DETAILS:

You were previously advised that post-trial hearings were to be held 5/2-3/72 concerning defense motions regarding discriminatory prosecution and electronic surveillance.

First witness on 5-3-72 in discriminatory prosecution aspect was to have been Assistant U.S. Attorney (AUSA) Harry Nagle, Middle District of Pennsylvania, the individual who declined prosecution of principal Eastcon witness Boyd F. Douglas for smuggling Berrigan-McAlister letters into and out of Lewisburg Penitentiary. Prior to any questioning of AUSA Nagle by the defense, Departmental Attorney William Connelly informed Judge R. Dixon Herman of executive privilege which would preclude Nagle from testifying as to prosecutive policy and reasoning without approval of the Attorney General. Judge Herman directed Connelly to produce the order setting out this rule and delayed ruling on Nagle's testimony. He indicated, however, he will rule in Government's favor if the Departmental order is produced.

Defense counsel then entered motions pertaining to the electronic surveillance aspect of this case, in which they requested a full transcript of the hearings to date, and the reappearance of SA [redacted] of the Philadelphia Office who testified on 5-2-72 regarding the overhearing of defendant Elizabeth McAlister. Defense counsel also indicated SAs Charles A. Durham and [redacted] and SAC Joe C. Jamieson of the Philadelphia Office would be subpoenaed at subsequent hearing on electronic surveillance scheduled for the week of 5-15-72.

100-460495

FBG:plm  
(7)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJS/ML

62 MAY 11 1972

MAY 9 1972

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b7C

REC-33

100-460495-559

EX-115

Memorandum to Mr. E. S. Miller  
RE: Eastcon  
100-460495

Defense counsel also requested Judge Herman to modify his protective order regarding the electronic surveillance of [redacted] Eastcon activist, on which defendant McAlister was overheard. They desire to inform [redacted] that he was the subject of electronic surveillance in order that he may institute a suit against the Government. Departmental Attorneys objected, and Judge Herman delayed ruling on this issue.

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b7C

Judge Herman also granted Government motion to quash subpoena duces tecum directed at the Attorney General for the production of voluminous records sought by defendants to establish discriminatory prosecution charge except for such records pertaining to previous prosecutions under T 18, USC, Sec. 1791 (Contraband). Judge Herman directed Departmental Attorneys to do the best they could to produce such records.

ACTION:

This is for your information.

7/4 CM  
CWT

f

LS  
8/5  
JH

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. E. S. Miller

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop

DATE: 5-3-72

FROM : R. L. Shackelford *RL*  
*cut*

1 - Mr. D. J. Dalbey  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

SUBJECT: EASTCON

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. ☒  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

PURPOSE:

To set forth information regarding post-trial hearings in this case at Harrisburg, Pennsylvania, 5-2-72.

DETAILS:

You were previously advised evidentiary hearings were to be held on 5/2-3/72 at Harrisburg on defense motions regarding electronic surveillance and discriminatory prosecution and that Agent personnel would be testifying at these hearings.

SA [ ] Philadelphia Office, testified concerning an electronic surveillance operated by the Philadelphia Office wherein defendant Elizabeth McAlister was possibly overheard. He stated that any investigative leads based on this surveillance would have originated from him and/or would have been directed to the file under his control. He said there were no such leads. He also stated that the tape recording and transcript of this surveillance were maintained in a locked cabinet and that no information contained therein was used in this case.

Above testimony was followed by that of SA Garry Owen Watt, Domestic Intelligence Division, concerning a search of the electronic surveillance indices at the SOG. He testified regarding the method of search and the fact that indices are filed by name. Following SA Watt's testimony, defense counsel alleged proper search had not been made to determine if there were overhearings of defendants or their attorneys and indicated necessity to call additional Agents from the Philadelphia Office in an attempt to establish taint from the surveillance. This was vigorously opposed by Chief Prosecutor William S. Lynch who stated

100-460495

FBG:plm  
(7)

REC-29

100-460495-5592

8 MAY 9 1972

CONTINUED - OVER

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 BJK/14

62 MAY 11 1972

5-73

Memorandum to Mr. E. S. Miller  
RE: Eastcon  
100-460495

b6  
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the testimony clearly showed evidence or leads from this surveillance were not used in this case. Judge R. Dixon Herman refused to rule on this issue but indicated if defendants felt additional Agent testimony would establish taint, defendants should subpoena said Agents. Defense indicated SA Charles A. Durham, case Agent; SA [redacted] case supervisor; and SAC Joe D. Jamieson, head of Philadelphia Division, would be subpoenaed.

Remainder of testimony 5-2-72 was concerned with discriminatory prosecution, during which an investigator for defense counsel Ramsey Clark furnished results of review of Bureau of Prisons records regarding contraband matters. This individual refused to answer questions on cross-examination on the basis of alleged attorney-client privilege. Judge Herman merely commented this action was reprehensible for a member of the bar but did not require answers to the questions.

ACTION:

The above is for your information.

ADDENDUM:

At about 12 noon, 5-3-72, Philadelphia advised that the hearing on electronic surveillance has been postponed for two weeks and is now tentatively scheduled for some time during the week of 5-15-72. SAs Durham and [redacted] and SAC Jamieson will return to Harrisburg for this hearing.



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

CODE

TELETYPE

MAY 10 1972

URGENT

TELETYPE

5/10/72

b6  
b7C

TO SAC, NEW YORK (100-168839)  
FROM ACTING DIRECTOR, FBI (100-460495)

1 - [REDACTED]  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith  
1 - Mr. G. H. Menzel

EASTCON, BUDED CLOSE OF BUSINESS MAY TEN, INSTANT.

FOR INFORMATION NEW YORK, U.S. DISTRICT COURT JUDGE R. DIXON HERMAN, HARRISBURG, PENNSYLVANIA, ON MAY TWO AND THREE, LAST, HEARD TESTIMONY IN CONNECTION WITH POST-TRIAL HEARING CONCERNING ALLEGED "TAINTED EVIDENCE" USED IN EASTCON TRIAL WHICH DEFENSE CONTENTS RESULTED FROM ELECTRONIC SURVEILLANCES (ELSURS). TESTIMONY BY GOVERNMENT WITNESSES INCLUDED INFORMATION THAT BUREAU RECORDS AND RECORDS OF ALL CONTINENTAL FBI OFFICES DISCLOSED THAT NO MONITORING WAS MADE OF DEFENDANTS ELIZABETH MC ALISTER AND PHILIP BERRIGAN ON ELSURS.

DEFENSE COUNSEL FOLLOWING ABOVE TESTIMONY, RELYING ON COURT DECISIONS, HAS FILED MOTION THAT GOVERNMENT IS OBLIGATED TO IDENTIFY ANY ELSUR AT PLACES WHERE MC ALISTER HAD "PROPRIETARY INTEREST" OR AN "EXPECTATION OF PRIVACY." DEFENSE COUNSEL HAS LISTED NUMEROUS PLACES WHICH THEY CONSIDER TO BE WITHIN THIS CATEGORY, MANY OF WHICH DEPARTMENT CONSIDERS IMPROPER. THE DEPARTMENT HAS CONCEDED COURT

DECISIONS HOLD THAT MC ALISTER WOULD HAVE "PROPRIETARY INTEREST" AS

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-3 RCL/ur

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

GHM:djr  
(6)

NOTE: Per request of Department prosecutive staff, New York instructed to check files as to existence of elsur at defendant Elizabeth McAlister's residence and three places of employment. This information is necessary to answer defense post-trial motion that evidence used at trial was tainted by elsur. Defense contends it has right to this information as defendant has proprietary interest in such places even though Government has previously denied defendant has been, in fact, monitored.

MAIL ROOM ☐ TELETYPE UNIT ☒

ROUTE IN ENVELOPE

TELETYPE TO SAC, NEW YORK  
RE: EASTCON  
100-460495

TO HER RESIDENCE ADDRESS AND ARGUABLY SUCH AN INTEREST AS TO HER PLACES OF EMPLOYMENT. IN ORDER TO PROMPTLY ANSWER DEFENSE COUNSEL'S MOTION, DEPARTMENTAL ATTORNEY J. PHILLIP KRAJEWSKI REQUESTED NEW YORK CHECK ITS FILES FOR RECORD OF ANY ELSUR ON FOLLOWING PLACES:

b6  
b7c

MARYMOUNT SCHOOL, ONE ZERO TWO SEVEN FIFTH AVENUE, NEW YORK, NEW YORK, (TWO ONE TWO) RH FOUR-FOUR FOUR EIGHT SIX; MARYMOUNT MANHATTAN COLLEGE, TWO TWO ONE EAST SEVENTY FIRST STREET, NEW YORK, NEW YORK, (TWO ONE TWO) UN ONE-FOUR TWO ZERO ZERO; AND, MARYMOUNT COLLEGE, TARRYTOWN, NEW YORK, (NINE ONE FOUR) SIX THREE ONE-THREE TWO ZERO ZERO.

NEW YORK CONDUCT ANY CHECK OF ITS FILES AS TO EXISTENCE OF ELSUR AT ALL OF THE ABOVE PLACES AND SUTEL RESULTS BY CLOSE OF BUSINESS THIS DATE. POSITIVE RESULTS, IF ANY, SHOULD BE EXPEDITIOUSLY REPORTED IN LHM PROPERLY CLASSIFIED UNDER AN APPROPRIATE SEPARATE CAPTION SETTING FORTH THE DATES OF ELSUR. TELETYPE THIS DATE SHOULD INCLUDE IDENTITY OF SPECIAL AGENT CONDUCTING FILE CHECK WHO MIGHT BE CALLED TO TESTIFY DURING HEARINGS SCHEDULED TO RESUME MAY FIFTEEN, NEXT, AT HARRISBURG. IF SUCH TESTIMONY IS REQUIRED, NEW YORK WILL BE SEPARATELY ADVISED.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 10 1972

TELETYPE

CODE

TELETYPE

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION NITEL

TO SAC NEW YORK

MAY 11 1972

5-10-72

FROM ACTING DIRECTOR FBI (100-460495)

TELETYPE

1 - Mr. Miller  
1 - Mr. Shackelford  
1 - Mr. Griffith

EASTCON.

RENYTEL MAY TEN, INSTANT, WHICH ADVISED CHECK OF RECORDS BY SA THOMAS WALSH NEGATIVE CONCERNING ELECTRONIC SURVEILLANCES (ELSURS) IN PURSUIT OF REQUEST BY DEPARTMENT THIS DATE.

AT EIGHT PM, THIS DATE DEPARTMENTAL ATTORNEY PAUL KILLIAN, EASTCON PROSECUTION STAFF, ADVISED IT WOULD BE DESIRABLE TO REDUCE SA WALSH'S FINDINGS INTO AFFIDAVIT FORM TO POSSIBLY AVOID UN- NECESSARY TESTIMONY IN HARRISBURG WHERE POST-TRIAL HEARINGS RESUME. HE STATED IN CONNECTION THEREWITH HE WOULD APPRECIATE OPPORTUNITY TO DISCUSS WITH SA WALSH NATURE OF CHECK OF RECORDS. HAVE HIM SIGN SUITABLE AFFIDAVIT TO FILE IN OPPOSITION OF DEFENSE MOTION BASED ON UNFOUNDED ALLEGATION OF ELSURS USED IN THIS CASE. KILLIAN STATED IF SATISFACTORY HE WOULD MEET SA WALSH AT ONE PM, MAY ELEVEN, NEXT, IN PHILADELPHIA OFFICE OF FBI. THIS IS TO CONFIRM ABOVE INFORMATION FURNISHED NEW YORK OFFICE BY TELEPHONE CALL THIS DATE AUTHORIZING SA WALSH TO PROCEED TO PHILADELPHIA AS REQUESTED BY DEPARTMENT.

GEM:lrs (5)

REC-73  
EX-114100-460495-5595  
19 MAY 11 1972

NOTE: Paul Killian, Departmental attorney, 8 pm, this date, advised of negative check concerning elsurs on residence and places of employment of defendant Elizabeth McAlister. Pursuant to his request SA Thomas Walsh, New York, should proceed to Philadelphia, Pennsylvania, 5/11/72 for discussion concerning this matter and to execute affidavit to possibly avoid unnecessary testimony in Harrisburg. Assistant Director Miller approved SA Walsh's travel and this confirms telephone call to New York instructing SA Walsh to proceed to Philadelphia 5/11/72.

MAY 15 1972

MAIL ROOM ☐TELETYPE UNIT ☐

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-57010

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Asper \_\_\_\_\_  
Brad \_\_\_\_\_  
Coy \_\_\_\_\_  
Land \_\_\_\_\_  
Or \_\_\_\_\_  
Soy \_\_\_\_\_  
Tolkart \_\_\_\_\_  
Walters \_\_\_\_\_  
Boyers \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 10 1972

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	✓
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Walkart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR 051 NY CODE

445 PM IMMEDIATE 05-10-72 KEH

TO ACTING DIRECTOR (100-460495)

FROM NEW YORK (100-163839)

EASTCON

BUDED: COB MAY TEN, SEVEN TWO.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5

REBUTEL, MAY TEN, INSTANT, REQUESTING ELSUR CHECK.

NYO INDICES CHECKED BY SA THOMAS P. WALSH AND NO

RECORD OF ANY ELSUR AT

AT ONE ZERO TWO SEVEN FIFTH AVENUE, AT MARYMOUNT MANHATTAN COLLEGE,  
TWO TWO ONE EAST SEVEN ONE STREET, ALL NY, NY, AND AT MARYMOUNT  
COLLEGE, TARRYTOWN, NY.

E N D

MRF FBI WA DC

REC-45

EX-112

100-460495-5596

MAY 12 1972

1 cc Dep't Atty W.F. Lynch  
1 SD by O-6 5/11/72

62 MAY 16 1972

5-72

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI (100-460495) DATE: 5/8/72

FROM : *L/pe* SAC, NEWARK (100-52605) <sup>(RUC)</sup> (C)

SUBJECT: EASTCON  
(OO: PHILADELPHIA)

A review of subject file in Newark reveals no outstanding investigation; therefore, this case is being placed in a closed status.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RWH/hm

REC-191

1 - 932-9KD EX-109

2 - Bureau  
1 - Philadelphia (100-51190)  
1 - Newark  
RFH/md  
(4)

100-460495-5597

MAY 16 1972



MAY 17 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

~~Secret~~ F B IDECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE  
DATE 01-14-2011

Date: 5-3-72

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via Airtel VIA COURIER

(Priority)

To: Director, FBI (100-460495)  
 From: Legat, Ottawa (100-1873) (P)  
 Subject: EASTCON

Re Ottawa airtel 4-18-72. u

By Telex dated 5-3-72, \_\_\_\_\_  
advised that \_\_\_\_\_b6  
b7C  
b7D

(u)

CLASS. & EXT. BY SP-5 RTH/m  
 REASON - FCIM 11, 1-2.4.2  
 DATE OF REVIEW 5-3-92

cc- 932-D  
 4 - Bureau  
     1 cc - Foreign Liaison Desk Direct  
     1 cc - Philadelphia  
 1 - OTT  
 MLI:jhc  
 (5)

APPROPRIATE AGENCIES  
 AND FIELD OFFICES  
 ADVISED BY ROUTING  
 SLIP (S) OF 1055  
 DATE 7-23-80

REC-71

cc- PH-info  
 BY 0-7 5/12/72  
 FBO: dlh

EX-109

MAY 9 1972

~~Secret~~~~SECRET~~

NEW LEFT

Approved: \_\_\_\_\_  
 Special Agent in Charge

Classified by 2040  
 Exempt from GDS Category 1  
 Date of Declassification Indefinite  
6/6/77 RWH

UNITED STATES GOVERNMENT

# Memorandum

TO: *WJL* ACTING DIRECTOR, FBI (100-460495) DATE: 5/10/72

FROM: SAC, OMAHA (100-7989) (RUC)

SUBJECT: EASTCON  
OO: PHILADELPHIA

All of the outstanding leads in this case in the Omaha Division have been investigated. There is no further investigation to be conducted in the Omaha Division; therefore, this case is being placed in a closed status.

*1-932-940*

2 - Bureau  
2 - Philadelphia (100-51190)  
1 - Omaha  
DGH:cjw  
(5)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 BJB/100

EX-115

REC-58 100-460495-5599

6 MAY 15 1972



54 MAY 19 1972

5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

*NEWLEED*  
*WAX 181113*

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop

DATE: 5-17-72

FROM : R. L. Shackelford *RV*

1 - Mr. D. J. Dalbey  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

SUBJECT: EASTCON

Felt ☒  
Mohr ☒  
Rosen ☒  
Bates ☒  
Bishop ☒  
Callahan ☒  
Campbell ☒  
Casper ☒  
Cleveland ☒  
Conrad ☒  
Dalbey ☒  
Miller, E. S. ☒  
Ponder ☒  
Soyars ☒  
Waikart ☒  
Walters ☒  
Tele Room ☒  
Holmes ☒  
Gandy ☒

## PURPOSE:

To advise of statements by Eastcon defense counsel Ramsey Clark alleging prosecution of this case was forced by Mr. Hoover.

## DETAILS:

United Press International (UPI) release of 5-16-72 (copy attached) at Harrisburg, Pennsylvania, stated former Attorney General Ramsey Clark, in a post-trial hearing, alleged that Mr. Hoover had forced the Government to prosecute this case with insufficient evidence. He said, "The history of this case is classic as a case of discriminatory prosecution." An article containing the same allegations also appeared in the 5-17-72 edition of "The Washington Post."

Clark's statements are without basis, in fact, inasmuch as Mr. Hoover did not force the Department to prosecute this case. He has no evidence upon which to base this statement.

Departmental Attorney J. Phillip Krajewski, a member of the Eastcon prosecution staff, advised that in arguing motions before the court on 5-16-72, Clark used his old premise that the Government's motive in prosecuting this case was discriminatory. He said Clark's remarks were a rehash of everything he had alleged to date and that it was obvious he was playing to the press. According to Krajewski, Departmental Attorney William Connelly effectively refuted Clark's allegations by stating the prosecution was not discriminatory but was directed at willful criminal activity. The press chose to ignore Connelly's statements.

Enclosure  
100-460495

FBG:plm  
(7)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY 8505 P-5

CONTINUED OVER

53 MAY 3 1973

18 MAY 2 1973

5599X  
5-7-73



Memorandum to Mr. E. S. Miller  
RE: - EASTCON  
100-460495

A review of Clark's participation in the Eastcon trial discloses that almost at the outset of the trial he was fired by his client, Philip Berrigan. The court refused to accept this and Clark remained as counsel. During most of the trial, he remained mute except for isolated instances of cross-examination of Government witnesses, one of whom admitted on redirect examination that she had spent considerable time consulting with defense attorneys. Clark also participated in the closing arguments presented by the defense. His statements as set forth in the UPI release are a reflection of his well-known personal feelings against Mr. Hoover. The proper place for Clark to attempt to elicit testimony to back up his allegations would have been in court during the trial where specific questions relative to his contention could have been raised and settled. Inasmuch as Clark and his fellow counsel chose to offer no defense, it would appear they forfeited the right to pursue this issue any further, but true to their disdain for established procedures and ethics, they continue to offer baseless or erroneous statements as fact in support of their claim.

The basic issue here is alleged pressure on the Department by Mr. Hoover to force prosecution. The facts are that Mr. Hoover did not force the Department into prosecution.

*Cyrene*  
We are placed in a position of having to take no action against Clark's unfounded and unfair statements inasmuch as the Eastcon case is still in litigation and any such action on our part would, no doubt, be used by the defense as the basis for motions for acquittal or directed verdict. When this matter has been completely resolved in the courts and is no longer at issue, a documented paper should be prepared and consideration given to releasing it to the press in order to set the record straight and point out the inadequacies of Clark's statements.

ACTION:

*Let's start to put together a draft paper now.*  
*We have started*

None. This is for your information. *on this*

*RLS 5/25/72*

- 2 -

*EM/wra*

*WGC*  
*JS*  
*DS*  
*gmm*  
*WGC*

*EG*  
*Lyman per*  
*This is a*  
*Conclusion! What*  
*are the FACTS?*  
*Jim 5/24*  
*9:14 PM*

TRUE COPY

UPI-140

(BERRIGAN)

HARRISBURG, PA.--FORMER U.S. ATTORNEY GENERAL RAMSEY CLARK SAID TODAY THAT LATE FBI DIRECTOR J. EDGAR HOOVER FORCED THE GOVERNMENT TO PROSECUTE THE HARRISBURG SEVEN WITH INSUFFICIENT EVIDENCE.

CLARK MADE THE STATEMENT IN CLOSING ARGUMENTS ON TWO DEFENSE MOTIONS TO OVERTURN THE CONVICTIONS OF THE REV. PHILIP BERRIGAN AND SISTER ELIZABETH MC ALISTER FOR SMUGGLING LETTERS IN AND OUT OF PRISON.

JUDGE R. DIXON HERMAN SAID HE WOULD RULE AFTER HE STUDIED HUNDREDS OF PAGES OF BRIEFS PLUS THE EVIDENCE SUBMITTED BY BOTH SIDES--A PROCEDURE WHICH COULD TAKE MONTHS.

"THE HISTORY OF THIS CASE IS CLASSIC AS A CASE OF DISCRIMINATORY PROSECUTION," CLARK SAID. "I'VE WATCHED THE NATIONAL SCENE FOR SOME TIME, YOUR HONOR, AND I HAVE NEVER SEEN ANYTHING LIKE THIS."

CLARK SAID HOOVER FORCED THE JUSTICE DEPARTMENT TO ACT WHEN HE TOLD REPUBLICAN LEADERS AT A WHITE HOUSE BRIEFING IN SEPTEMBER, 1971, THAT THE FBI HAD UNCOVERED A CONSPIRACY AGAINST THE GOVERNMENT. HE TOLD A SENATE SUBCOMMITTEE TWO MONTHS LATER THAT BERRIGAN WAS THE LEADER OF THE ALLEGED PLOT.

THE JURY WHICH CONVICTED BERRIGAN AND SISTER ELIZABETH OF THE ILLEGAL LETTERS COULD NOT REACH A DECISION ON THE CHARGE THAT THE HARRISBURG SEVEN PLOTTED TO KIDNAP PRESIDENTIAL ADVISER HENRY KISSINGER.

5-16--EH451PED

TRUE COPY

105-460495-5599X  
ENCLOSURE

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

FROM : R. L. Shackelford *RS*

SUBJECT: EASTCON

1 - Mr. A. Rosen  
1 - Mr. J. P. Mohr  
1 - Mr. T. E. Bishop

DATE: 5-18-72

1 - Mr. N. P. Callahan  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

Felt \_\_\_\_\_  
Mohr \_\_\_\_\_  
Rosen \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Casper \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Miller, E. S. ☒  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Wakart \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

*CS*  
The 5-16-72 edition of the "New York Daily News" contained an article entitled "Berrigan Case Judge to Eye FBI's Records." Acting Director Gray noted this is an issue on which he needed a fact report. Information pertinent to Mr. Gray's notations on the article is set forth.

The article opens with a statement to the effect Eastcon trial Judge R. Dixon Herman ordered the Government to turn over Department and FBI records dealing with prosecution of this case for his review. This statement is in error. On 5-18-72 Departmental Attorney J. Phillip Krajewski, member of the prosecution team, advised SA Fred B. Griffith that the Government had filed a memorandum with the court objecting strenuously to a turnover of records for in-camera inspection. The court is allowing the defense to prepare and file a memorandum in support of this action which will probably be rebutted by a subsequent Government memorandum. *St*

Mr. Gray underlined that portion setting forth defense contention that the Government "singled out the antiwar activists for prosecution because of their strong views against the Vietnam war." This is not true. The facts are that the defendants' criminal activity was clearly set forth in the Berrigan-McAlister letters, which information was bolstered by public disclosures of the defendants themselves [redacted]

b6  
b7C  
b7D

[redacted] and was basis for prosecution.

Mr. Gray also noted a statement that the defendants "face the possibility if retrial on the conspiracy charges if the Government decides to press the case." You will recall the Eastcon jury reached no verdict on counts one (conspiracy), two and three (threatening communications) of the indictment. Krajewski told SA Griffith on 5-18-72 that the matter of retrial of these counts is under consideration within the Department and no formal decision has been made as yet.

*2-*  
**ENCLOSURE**

100-460495

REC-87

FBG:plm  
(8)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

CONTINUED - OVER

53 MAY 3 1973

DATE 7-15-80 BY SP-5 *AKM*

MAY 18 1973 *WJ*

100-460495-5599X1  
*5789*

Memorandum to Mr. E. S. Miller  
RE: Eastcon  
100-460495

The article also called attention to the publicity given to Mr. Hoover's testimony before the Senate Appropriations Subcommittee on 11-27-70 and noted the indictment was not returned until six weeks later. Actually, this case was presented to the Grand Jury on 12-18-70, and the original indictment was returned on 1-12-71. The defense attorneys neglect to consider the fact that while our informant was in place, no overt investigation was conducted and that prior to presentation of the case to the Grand Jury, it was necessary to locate, interview, and subpoena pertinent witnesses.

ACTION:

This is for your information.

BG

PM

EM

wld

WGC

Jo

Jin 5:24 7  
8:09AM

WGC

DO-7

FROM

OFFICE OF ACTING DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

MR. FELT \_\_\_\_\_ ( )  
MR. MOHR \_\_\_\_\_ ( )  
MR. ROSEN \_\_\_\_\_ ( )  
MR. BATES \_\_\_\_\_ ( )  
MR. BISHOP \_\_\_\_\_ ( ) *WTB*  
MR. CALLAHAN \_\_\_\_\_ ( )  
MR. CAMPBELL \_\_\_\_\_ ( )  
MR. CASPER \_\_\_\_\_ ( )  
MR. CLEVELAND \_\_\_\_\_ ( )  
MR. CONRAD \_\_\_\_\_ ( )  
MR. DALBEY \_\_\_\_\_ ( )  
MR. MILLER, E.S. \_\_\_\_\_ ( )  
MR. PONDER \_\_\_\_\_ ( )  
MR. SOYARS \_\_\_\_\_ ( )  
MR. WAIKART \_\_\_\_\_ ( )  
MR. WALTERS \_\_\_\_\_ ( )  
MRS. NEENAN \_\_\_\_\_ ( )

SEE ME \_\_\_\_\_ ( )  
NOTE AND RETURN \_\_\_\_\_ ( )  
PREPARE REPLY \_\_\_\_\_ ( )  
SEND MEMO TO ATTORNEY GENERAL \_\_\_\_\_ ( )  
FOR YOUR RECOMMENDATION \_\_\_\_\_ ( )  
WHAT ARE THE FACTS? \_\_\_\_\_ ( )  
HOLD \_\_\_\_\_ ( )

REMARKS:

*This is definitely an issue  
on which I need a FACT Report.*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 *11/14*

ENCLOSURE

*100-116-15-55997.1*

# Berrigan Case Judge to Eye FBI's Records

By MICHAEL McGOVERN  
Staff Correspondent of THE NEWS

Harrisburg, Pa., May 15—Over strong government objections, federal Judge R. Dixon Herman ordered the prosecution today to turn over Justice Department and FBI records which led to the trial of the Rev. Philip Berrigan and six antiwar colleagues.

In a bench hearing, the judge, in a highly unusual move, said that he would examine the records in private and decide the long-held defense contention that the government singled out the antiwar activists for prosecution because of their strong views against the Vietnam war.

## Vigorous Objections

Prosecutors William S. Lynch and S. John Cottone objected vigorously to the ruling, saying that such records were privileged under the attorney-client relationship (the prosecutors being attorneys for the government), and that they were not obligated to explain why the prosecution was instituted other than their belief that a crime had been committed.

Herman has not decided how much of the internal records he wants the prosecution to submit. Lynch said outside court that the entire record would consist of tens of thousands of pages.

## Rejects Defense Plea

At the same time, Herman rejected a defense plea to put Lynch and Cottone on the stand to answer personally the charges of "discriminatory prosecution" against the Harrisburg Seven.

Only Berrigan, 48, a Baltimore priest, and Sister Elizabeth McAlister, 32, a New York nun, were convicted April 5 by a 12-member jury of charges of smuggling letters to and from Lewisburg Federal Penitentiary, where the priest was serving a six-year sentence for destroying draft board files.

The jury reported that it was deadlocked on the late FBI Director J. Edgar Hoover's charges that the seven conspired to kidnap presidential aide Henry Kissinger, blow up a Washington heating tunnel and destroy draft records. The jury was dismissed by the judge.

## Retrial Is Possible

All the defendants, Berrigan, Sister Elizabeth, the Revs. Joseph Wenderoth and Neil McLaughlin, Anthony and Mary Cain Scoblick and Eqbal Ahmad, face the possibility of retrial on the conspiracy charges if the government decides to press the case.

If Herman, who also presided at the trial, finds any evidence of "selective prosecution" in his reading of the records he could throw out the entire case, including the letter-smuggling convictions.

Defense attorneys Ramsey Clark and William Bender told Herman that the evidence of discriminatory prosecution had been suggested from the beginning of the case, when Hoover made the charges public Nov. 27, 1970 in an appearance before the Senate Judiciary Committee. An indictment was not handed down until six weeks later.

## Insufficient Evidence

Also in today's hearing, Herman indicated that he was prepared to reject the defense request for all government wiretapping material gathered during its 18-month investigation of the defendants in several cities in the east.

Herman said that there was insufficient evidence to show that such "overhearings"—which the government admitted had occurred in small part—had "tainted" the case.

Clark and Bender charged that the legal government wiretapping may have produced evidence subsequently used against the defendants in their three-months trial here.

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

The Washington Post \_\_\_\_\_  
Times Herald \_\_\_\_\_  
The Washington Daily News \_\_\_\_\_  
The Evening Star (Washington) \_\_\_\_\_  
The Sunday Star (Washington) \_\_\_\_\_  
Daily News (New York) 7 \_\_\_\_\_  
Sunday News (New York) \_\_\_\_\_  
New York Post \_\_\_\_\_  
The New York Times \_\_\_\_\_  
The Daily World \_\_\_\_\_  
The New Leader \_\_\_\_\_  
The Wall Street Journal \_\_\_\_\_  
The National Observer \_\_\_\_\_  
People's World \_\_\_\_\_

Date MAY 16 1972

101-460013-5599x1

ENCLOSURE

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller *ER*

FROM : R. L. Shackelford *RP*

SUBJECT: EASTCON

1 - Mr. A. Rosen  
1 - Mr. J. P. Mohr  
1 - Mr. T. E. Bishop *Emy*

DATE: 4-27-72

1 - Mr. N. P. Callahan  
1 - Mr. D. J. Dalbey  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Campbell \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

## PURPOSE:

To advise of necessity for Philadelphia Office to provide tapes, logs, and Agent testimony regarding overhearing of two Eastcon defendants for post-trial hearing on electronic surveillance at Harrisburg, Pennsylvania, 5-1-72.

## BACKGROUND:

The defense filed pretrial motions alleging evidence was gathered in this case as the result of illegal electronic surveillance. This, of course, is not true. However, two defendants, John Theodore Glick and Elizabeth McAlister, were overheard in December, 1970, on an electronic surveillance maintained on the residence of Eastcon activist [redacted] Ardmore, Pennsylvania. Judge R. Dixon Herman ordered that the transcript of this coverage be sealed as a court exhibit to be opened at a post-trial hearing on electronic surveillance which he subsequently scheduled for 5-2-72.

## CURRENT DEVELOPMENTS:

At 6 p.m., 4-26-72, Departmental Attorney J. Phillip Krajewski, on behalf of Eastcon Chief Prosecutor W. S. Lynch, contacted Supervisor Fred B. Griffith and said that in order for the scheduled hearing to go forward, it will be necessary to turn over to the defendants the sealed exhibit pertaining to McAlister inasmuch as she was convicted on three counts of the indictment. In addition to the sealed exhibit, it will be necessary to turn over the logs and cassette recordings of these transcripts. Moreover, it will be necessary for an SA having knowledge of these overhearings to be present to testify as to the above items.

Enclosure  
100-460495

FBG:plm  
(9)

62 MAY 9 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RLB/ML

3 MAY 3 1972

100-460495-5600

REC-42

EX-100

5-7-72

Memorandum to Mr. E. S. Miller  
RE: Eastcon  
100-460495

Inasmuch as the request of the Department is absolutely essential to the Government's argument against the motion, there is attached a teletype to Philadelphia instructing that office to comply with the Departmental request.

ACTION:

With your approval, the attached teletype will be forwarded to Philadelphia.

SENT 4-27-72  
7

729

JAS GK  
H R

EM

WGC

JS  
DJ



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

Mr. Tolson \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Campbell \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Miller, FA \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Dalbey \_\_\_\_\_  
Mr. Ponder \_\_\_\_\_  
Mr. Bates \_\_\_\_\_  
Mr. Walkart \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

NR007 PH CODE

MAY 15 1972

8 10 PM 5-15-72 NITEL R J C

TELETYPE

TO ACTING DIRECTOR (100-460495) ATTENTION DOMESTIC INTELLIGENCE  
FROM PHILADELPHIA (100-51190) 2P

EASTCON

HEARING RE ELSUR TAPE BEGAN TEN A.M. INSTANT DATE BEFORE  
U.S. DISTRICT JUDGE R. DIXON HERMAN, AT HARRISBURG, PA.

SA CHARLES A. DURHAM, JR. FIRST WITNESS. DURHAM RELATED  
HIS DUTIES AS CASE AGENT AND HIS LIMITED KNOWLEDGE RE ELSUR  
AT ISSUE. DURHAM TESTIFIED HE COULD BE CONCLUSIVE IN THAT NO LEAD  
OR EVIDENCE DEVELOPED FROM ELSUR IN THIS MATTER.

SA SUPERVISOR [REDACTED] NEXT WITNESS. [REDACTED]

TESTIFIED RE VARIOUS ADMINISTRATIVE DETAILS THIS ELSUR AND ALSO  
GAVE CONCLUSIVE TESTIMONY NO EVIDENCE OR LEADS RESULTED FROM THIS ELSUR.

AFTER NOON RECESS DEFENSE'S COUNSEL BENDER CLAIMED AGENT  
TESTIMONY "UNRESPONSIVE" AND MOVED THAT ALL PHILADELPHIA SPECIAL  
AGENTS WHO WORKED ON CASE AND ENTIRE CASE FILE BE MADE AVAILABLE.

PROSECUTOR LYNCH SAID AGENTS ENTIRELY RESPONSIVE BUT THAT  
THE ANSWERS DID NOT PLEASE OR SUIT THE DEFENDANTS' PRECONCEPTIONS.  
LYNCH ASKED THE COURT TO OVERRULE BENDER AND CONCLUDE THE HEARING  
END PAGE ONE

REC-88

60 MAY 19 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5

MAY 16 1972

Rev. Act. Sect.

PAGE TWO

UPON ELSUR TAPE.

JUDGE HERMAN THEN OVERRULED BENDER'S MOTION AND RULED THE ELSUR TAPE HEARING AT AN END.

NEXT WITNESS AUSA HARRY NAGLE, LEWISBURG, PA. NAGLE ESTABLISHED HIS BACKGROUND AS AUSA AND FACT THAT SA DELMAR H. MAYFIELD HAS OCCASION TO DISCUSS CASES WITH HIM ON CONTINUING BASIS. DEFENSE ATTORNEY MENAKER THEN BROUGHT UP THE SPECIFIC OCCASION WHEN SA [REDACTED] PRODUCED A COPY OF A LETTER WRITTEN BY PHIL BERRIGAN AND SMUGGLED OUT OF LEWISBURG PENITENTIARY BY BOYD DOUGLAS. MENAKER ASKED NAGLE WHAT [REDACTED] SAID TO HIM.

b6  
b7c

CHIEF PROSECUTOR WILLIAM LYNCH THEN OBJECTED ON THE BASIS THAT MENTAL PROCESSES OF A GOVERNMENT ATTORNEY ARE NOT SUBJECT TO JUDICIAL REVIEW.

JUDGE RECESSED COURT SO HE COULD RULE ON GOVERNMENT OBJECTION.

COURT EXPECTED TO RULE BY MAY SIXTEEN NEXT AT LATEST.

E N D

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

NR003 MI CODE

MAY 15 1972

PM NITEL 5/15/72 LSK

TELETYPE

TO ACTING DIRECTOR (100-460495)

ATTENTION: DOMINTEL - RESEARCH

PHILADELPHIA (100-51190)

FROM MILWAUKEE (100-17584) (P)

EASTCON - DEMONSTRATIONS.

RE PHILADELPHIA AIRTEL TO ALBANY, ET AL, APRIL THREE,  
NINETEEN SEVENTYTWO, ENCLOSING PHILADELPHIA TELETYPE TO  
DIRECTOR, APRIL ONE, NINETEEN SEVENTYTWO.

ENCLOSURE SIAD AN ANNOUNCEMENT WAS MADE DURING EASTCON  
DEMONSTRATION ACTIVITIES, APRIL ONE, LAST, HARRISBURG,  
PENNSYLVANIA, REGARDING PLANNED FUTURE PROTEST ACTIVITIES  
FOR MADISON, WIS. THESE ACTIVITIES WERE IDENTIFIED AS A  
PROTEST AT ARMY RESEARCH CENTER TODAY, AND DEMONSTRATIONS BY  
ARMED FORCES PERSONNEL ON ARMED FORCES DAY, MAY TWENTY NEXT.

CONFIDENTIAL SOURCES OF MILWAUKEE OFFICES AND APPROPRIATE  
LOCAL MADISON LAW ENFORCEMENT AUTHORITIES COGNIZANT OF SOME  
ASPECTS OF EXTREMIT PROTEST ACTIVITIES AND RELATED MATTERS  
THROUGHTOUT MADISON AREA, CONTACTED DURING APRIL AND MAY,

END PAGE ONE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RBT/TUE

51 MAY 19 1972

Mr. Tolson	
Mr. Felt	
Mr. Campbell	
Mr. Rosen	
Mr. Mohr	
Mr. Bishop	
Mr. Miller	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Dalbey	
Mr. Cleveland	
Mr. Gonder	
Mr. Lates	
Mr. Wickart	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

b6  
b7c

6 MAY 17 1972

b6  
b7c

PAGE TWO.

NINETEEN SEVENTYTWO, SAID A PROTEST AGAINST UNIVERSITY OF WISCONSIN, MADISON (UW). ARMY MATHEMATICS RESEARCH CENTER, MADISON, HAS NEVER BEEN ANNOUNCED OR INSTITUTED LOCALLY. THEY ALSO ADVISED THEY ARE NOT AWARE OF ANY PLANS FOR ARMED FORCES PERSONNEL DEMONSTRATIONS MAY TWENTY NEXT.

MILWAUKEE WILL FOLLOW ANNOUNCED MAY TWENTY NEXT PROTEST PLANS. BUREAU TO BE ADVISED OF ALL PERTINENT DEVELOPMENTS.

SOURCES AND POLICE DEPARTMENTS IDENTIFIED IN MILWAUKEE FILE.

END

HOLD FOR TWO

RCK FOR TWO

DWH FBI WASH DC

cc-



b6  
b7c

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 17 1972

TELETYPE

NR002 PH CODE

11:12 AM IMMEDIATE 5-17-72 SDB

TO ACTING DIRECTOR (100-460495) (ATTN: DOMINTEL)  
FROM PHILADELPHIA (100-51190) 2P

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Weikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

EASTCON

*Just*  
PHILIP KRAJEWSKI, DEPARTMENTAL ATTORNEY, ADVISED THAT ARGUMENTS WERE HEARD BEFORE US DJ R. DIXON HERMAN, HARRISBURG, PA., ON MAY SIXTEEN LAST AS TO MOTIONS IN ARREST OF JUDGMENTS AND MOTIONS FOR ACQUITTAL OF PHILIP BERRIGAN AND ELIZABETH MC ALISTER PERTAINING ONLY TO COUNTS FOUR THROUGH TEN.

JUDGE HERMAN DID NOT RULE ON MOTIONS AND ADVISED A TIME WOULD BE SET FOR SENTENCING. HERMAN ALSO ADVISED TIME WOULD BE SET FOR HEARING ON ACQUITTAL PERTAINING TO COUNTS ONE, TWO, AND THREE.

DURING ARGUMENT, DEFENSE ATTORNEY RAMSAY CLARK USED HIS OLD ARGUMENT THAT THE GOVERNMENT'S MOTIVE WAS DISCRIMINATORY. PROSECUTIVE ATTORNEY WILLIAM CONNELLY COUNTERED FOR THE PROSECUTION STATING IT WAS NOT DISCRIMINATORY BUT DIRECTED AT WILLFUL CRIMINAL ACTIVITY.

END PAGE ONE

*FFZL*  
*Included in memo*  
*Re: Eastcon*  
*54 MAY 23 1972*  
*SP-117 B6, 1 per*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 *16140* *5-76*

MAY 18 1972

PAGE TWO

KRAJEWSKI STATED THAT IN HIS ARGUMENTS RAMSAY CLARK ALLUDED THAT EVERYTHING IN EASTCON CASE BEGAN AFTER J. EDGAR HOOVER'S STATEMENT TO CONGRESS IN ABOUT NOVEMBER, NINETEEN SEVENTY. CLARK STATED THAT GOVERNMENT COULD HAVE MOVED ON THE CASE IN AUGUST, NINETEEN SEVENTY.

KRAJEWSKI STATED THAT CLARK'S REMARKS WERE A REHASH OF EVERYTHING CLARK ALLEGED BEFORE AND IT WAS OBVIOUS CLARK WAS PLAYING TO THE PRESS. KRAJEWSKI STATED DEPARTMENTAL ATTORNEY CONNELLY EFFECTIVELY REFUTED THESE OFT REPEATED STATEMENTS OF CLARK'S.

END

RMS FBI WA DC CLR



FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

1 - Lab File  
1 - Mr. Conrad  
1 - Mr. Bledsoe, 5716  
1 -  b6  
b7C

To: SAC, Boston (62-6630)

Date: May 12, 1972

Re: **MEDBURG  
CALDEN ACTION**

L. Patrick Gray, III  
Acting Director

Examination requested by: Boston

FBI File No. 62-94527  
Lab. No. D-720501060 LC  
CR-15095 JU

Reference: Letter dated 4/24/72

Examination requested: Document - Fingerprint - Cryptanalysis

Remarks:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5  
NGB/114

Eastcom

Enclosures (2) (2 Laboratory reports)

2 - Philadelphia (62-7168), Enclosures (2) (2 Laboratory reports)

- ① - 100-460495  
1 - 52-94781

Felt \_\_\_\_\_  
Mohr \_\_\_\_\_  
Rosen \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Casper \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

FJC:pw  
(10)

100-460495-

NOT  
170 MAY 17 1972

DUPLICATE YELLOW

54 MAY 19 1972

ADMINISTRATIVE PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐

ORIGINAL FILED IN 52-94527-314

REPORT  
of theFEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

To: SAC, Boston (52-6636)

Date: May 12, 1972

Re: MEDEURG  
CAMDEN ACTION

FBI File No.

52-04527

Lab. No.

D-720501040 LC  
CR-13695 JU

Specimens received - 4/28/72

Specimens Q585 through Q590 described in Laboratory report dated 5/8/72.

## Result of examination:

No language or linguistic style-of-writing characteristics were found in specimens Q585 through Q590 to indicate significant similarity or dissimilarity with the language characteristics of MEDEURG specimens composed by the Citizens' Commission to Investigate the FBI or GARDEURG ATTEMPT specimen Q50.

Disposition of specimens submitted and result of document and fingerprint examinations handled separately.

FJC:pwv  
(10)



1 - Mr. Stangel

FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

To: SAC, Philadelphia (9-New)

Date: May 9, 1972

Re: UNSUB, aka  
"The Jury Gang"

VICTIM

EXTORTION

OO: Philadelphia

L. Patrick Gray, III  
Acting Directorb6  
b7CFBI File No. ~~92-1182~~  
Lab. No. D-720419052 LG

Examination requested by:

Philadelphia

Reference:

Letter 4/17/72

Examination requested:

Document

Remarks:

For your investigative assistance, nothing particularly significant was noted during the comparison of the known handwriting submitted in the HEDBURG - CAMDEN ACTION case which would indicate that any of these writers prepared Q1 through Q3.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA/m

DUPLICATE YELLOW

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Pender \_\_\_\_\_  
Bates \_\_\_\_\_  
Walker \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

Enclosures (5) (Q1 through Q3, 2 Lab report)

2 - Philadelphia (52-7165) (100-81190) Enclosures (2) (2 Lab report)

① - Bufile (100-460495)

1 - Bufile (52-94527)

DES:mab (8)

ADMINISTRATIVE PAGE

70 MAY 16 1972

MAIL ROOM ☐ TELETYPE UNIT ☐

NOT RECORDED  
25 MAY 11 1972

ORIGINAL FILED IN 9-54168-1

REPORT  
of the



FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

To:

SAC, Philadelphia (9-New)

Re:

UNSUB, aka  
"The Jury Gang";

[REDACTED] - VICTIM  
EXTORTION

Date:

FBI File No.

Lab. No.

May 9, 1972

9-54168

D-720419052 LC

b6  
b7C

Specimens received

4/18/72

- Q1 Envelope postmarked "PHILADELPHIA, PA 4B PM 9 APR 1972," bearing handwritten address "[REDACTED] Dillsburg, Pa."
- Q2 First page of accompanying two-page handwritten letter beginning "Sir: Your comments in the..."
- Q3 Second page of letter beginning "Susquehanna within the next week..."

Result of examination:

The submitted evidence was searched through the appropriate sections of the Anonymous Letter File without effecting an identification. Photographs will be added to the file for future reference.

Due to the lack of comparable handwriting and hand printing or unexplained handwriting and hand printing variations, it was not possible to definitely determine whether Q1 through Q3 were or were not prepared by the writers of the known material and questioned material previously submitted in the MEDBURG case.

The submitted evidence is returned herewith.  
Photographs are retained.

DES:mab (8)

*mat*

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI  
ATTN: FBI LABORATORY

DATE: 4/17/72

FROM : SAC, PHILADELPHIA (9-NEW) (P)

SUBJECT: UNSUB, aka

"The Jury Gang":

[REDACTED] - VICTIM

EXTORTION

(OO:Philadelphia)

*O. Esten*

120419052

54168-1

b6  
b7C

Enclosed for the Bureau is an original and two copies of an anonymous letter received in this matter, and original and two copies of the envelope which contained the anonymous letter.

On 4/10/72 the enclosed letter was received by [REDACTED] of Dillsburg, Pa., a member of the jury which heard the "Harrisburg 7" trial. [REDACTED] gave the letter to the local police in Dillsburg, Pa., who turned it over to the Pennsylvania State Police in Harrisburg, Pa. The PSP made this available to the FBI in Harrisburg, Pa., on 4/12/72.

AUSA JOHN C. UHLER, MDPA., Harrisburg, Pa., advised on 4/12/72 that he would decline prosecution in this matter as he felt it lacked sufficient prosecutive potential. His opinion will be confirmed by separate communication.

No latent fingerprint exam is being requested as numerous individuals handled this letter prior to receipt by the FBI. The letter is being forwarded to the FBI for comparison with and inclusion in the anonymous letter file. The Lab is also requested to compare this letter with specimens submitted in connection with Medburg.

It will be noted that obstruction of justice is in character because the letter was received after the jury was discharged and letter was apparently prompted by victim's remarks and not by his jury duty.

No further investigation being conducted by the Philadelphia Division UACB.

- ③ - Bureau (9-NEW) 1 - (100-460495) (Enc. 6)
- 4 - Philadelphia (9-NEW) 1 - (100-51190)
- 1 - (52-7165)

MMW:pac  
(7)

ENCLOSURE

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 JJA/HR

SEVEN

COPY AND SPECIMENS RETAINED IN LAB

ORIGINAL FILED IN 100-460495

30

100-460495



ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 [signature]



ENCLOSURE

100-460495-

4-7/72

b6  
b7c

[redacted]  
Hillsburg, Pa...

W 4/12/72

Sir:

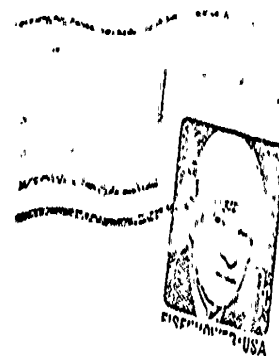
Your comment  
the newspapers about  
the Harrisburg "7" trial is  
unnecessary. None of the  
other jurors are talking.  
They are smart. You  
are no perfect person,  
yourself, but it would  
be better if you  
kept your remarks to  
yourself. You may  
suffer for these tragic  
remarks. You know,  
a small town guy  
like you, is easy to  
shut up. Because of  
your wise remarks,  
you may be found  
out to be down also.

husquahama within  
the ~~next week~~ or  
you may be given a  
one way ride some  
night. Don't forget,  
you are not hard  
to get.

Watch your step.

The Jury Gang

Mr  
4/12/72



Dillsburg, Pa.

b6  
b7C

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

MAY 21 1972

TELETYPE

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Malone	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Waikart	_____
Mr. Walters	_____
Mr. Sars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

NR011 MI CODE

Q1:10AM SENT 5-21-72 NITEL 5-20-72 RLE

TO: ACTING DIRECTOR (100-460495) (ATTN:DID-RESEARCH)

PHILADELPHIA (100-51190)

FROM: MILWAUKEE (100-17584) (P)

EASTCON - DEMONSTRATIONS.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY 6035 R/W/114

RE MITEL, FIVE FIFTEEN LAST.

CONFIDENTIAL SOURCES, MILWAUKEE TERRITORY, AND LOCAL  
MADISON LAW ENFORCEMENT AUTHORITIES, COGNIZANT SOME ASPECTS  
EXTREMIST PROTEST ACTIVITIES AND RELATED MATTERS, THROUGHOUT  
MADISON, WISCONSIN AREA, SAID TODAY NO DEMONSTRATIONS WERE ANNOUNCED  
OR INITIATED BY ARMED FORCES PERSONNEL LOCALLY IN MADISON, THIS  
DATE (ARMED FORCES DAY).

ADMINISTRATIVE:

RETEL NOTED ANNOUNCEMENT WAS MADE DURING ESTCON DEMON-  
STRATION ACTIVITIES FOUR ONE LAST, HARRISBURG, PENNSYLVANIA, THAT  
ARMED FORCES PERSONNEL WOULD DEMONSTRATE IN MADISON TODAY.

SOURCES AND POLICE AGENCIES IDENTIFIED MILWAUKEE COPY.

END 62 MAY 30 1972

EJF FBI WASH DC

b6  
b7C

EX-115  
REC-51

100-460495-5604  
6 MAY 23 1972

b6  
b7C



UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller *EM*

FROM : R. L. Shackelford *RS*

SUBJECT: EASTCON

1 - Mr. A. Rosen  
1 - Mr. T. E. Bishop

DATE: 5-17-72

1 - Mr. D. J. Dalbey  
1 - Mr. E. S. Miller  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

Tolson *✓*  
Felt *✓*  
Campbell *✓*  
Rosen *✓*  
Mohr *✓*  
Bishop *✓*  
Miller, E.S. *✓*  
Callahan *✓*  
Casper *✓*  
Conrad *✓*  
Dalbey *✓*  
Cleveland *✓*  
Ponder *✓*  
Bates *✓*  
Waikart *✓*  
Walters *✓*  
Soyars *✓*  
Tele. Room *✓*  
Holmes *✓*  
Gandy *✓*

## PURPOSE:

This is to advise of results of post-trial hearings at Harrisburg, Pennsylvania, 5/15-16/72.

## DETAILS:

Memorandum R. L. Shackelford to Mr. E. S. Miller dated 5-4-72 set forth results of post-trial hearings on electronic surveillance and discriminatory prosecution held before Judge R. Dixon Herman, U.S. District Court, Harrisburg, on 5-3-72. At that time, Judge Herman rescheduled any additional hearings on these matters for 5-15-72.

The electronic surveillance hearing was held 5-15-72 and featured testimony by SAs Charles A. Durham, Jr., and [redacted], who both testified that no lead information or evidence utilized in this case was obtained from an electronic surveillance. Defense counsel William Bender claimed Agent testimony was unresponsive and moved that all Philadelphia Agents who worked on this case and the entire Philadelphia case file be made available for questioning and review. Chief Prosecutor William S. Lynch countered by stating the Agents' testimony was entirely responsive even though the answers did not please or suit the defendants' preconceptions. Lynch asked the court to overrule Bender and conclude the electronic surveillance hearing, which Judge Herman did.

Discriminatory prosecution motion then brought before the court and featured Assistant U.S. Attorney (AUSA) Harry Nagle, Lewisburg, Pennsylvania, as first witness. Lynch objected to

100-460495

FBG:plm  
(7) *plm*

REC 31

CONTINUED - OVER

22 MAY 24 1972

54 MAY 30 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 RJA/MS-7g

Memorandum to Mr. E. S. Miller  
RE: Eastcon  
100-460495

questions presented to AUSA Nagle on the basis that the mental processes of a Government attorney are not subject to judicial review. At this point, Judge Herman recessed court.

On 5-16-72 additional arguments were presented to the court concerning discriminatory prosecution and on motions in arrest of judgment and for acquittal of defendants Philip Berrigan and Elizabeth McAlister on counts four through ten (contraband) of the indictment. Judge Herman took these matters under advisement and will rule on them at a later date. He also stated a hearing would be scheduled for arguments concerning acquittal on counts one (conspiracy), two and three (threatening communications), for which the jury returned no verdict.

ACTION:

This is for your information. You will be advised of pertinent developments.

7/9 CWT  
EM/DEA

7  
G  
5-21  
2:17 PM

RB  
WGC

waw  
DS  
JMK  
SPK

FBI

Date: 5/16/72

Transmit the following in \_\_\_\_\_

(Type in plaintext or code)

AIRTEL

~~CONFIDENTIAL~~

Via \_\_\_\_\_

(Priority)

TO: ACTING DIRECTOR, FBI (100-457882)

FROM: SAC, NEW YORK (100-172210) (P)

SUBJECT: HARRISBURG DEFENSE COMMITTEE (HDC) aka  
IS - REVOLUTIONARY ACTIVITIES  
(OO:PH)

Enclosed for the Bureau are seven copies and for Buffalo, Newark, and Philadelphia, two copies each of an LHM, concerning the activities of the New York Office of HDC.

Source utilized in LHM is  (X)b2  
b7D

The LHM is classified "~~Confidential~~" since it contains information from a source of continuing value. Unauthorized disclosure of information furnished by this source, could impair future effectiveness, and such impairment could have a prejudicial effect upon the defense interests of this country.

7-15-80  
CLASS. & EXT. BY SP-5 RJB/HW  
REASON - FCIM 11, 1-2.4.2 2-  
DATE OF REVIEW 5-16-92

CARBON COPY

- 3 - Bureau (Encls. 7) (RM)  
(1- 100-460495) (EASTCON)
- 2 - Buffalo (Encls. 2) (RM)
- 2 - Newark (Encls. 2) (RM)
- 2 - Philadelphia (Encls. 2) (100-52844) (RM)
- 1 - New York  (INVESTIGATIVE SECTION) (42) (X)
- 1 - New York (100-168839) (EASTCON) (49)
- 1 - New York
- JWM:lab  
(13)

b2  
b7D

NOT RECORDED

46 MAY 30 1972

1 - CLOSURE  
APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF CLASS.  
7-23-80

Approved \_\_\_\_\_

4 JUN 1972

Special Agent in Charge

Sent \_\_\_\_\_

~~CONFIDENTIAL~~

Per \_\_\_\_\_

ORIGINAL FILED IN 100-457882-56



~~CONFIDENTIAL~~  
UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

May 16, 1972

In Reply, Please Refer to

File No. Bureau file 100-457882

New York file 100-172210

Harrisburg Defense Committee

On May 15, 1972, a confidential source; who has furnished reliable information in the past, advised that the New York Office of the Harrisburg Defense Committee (HDC), 156 Fifth Avenue, New York, New York, is about to close down. A local HDC unit, which had been located at the Henry Hudson Hotel, in New York City, which had been used for fund-raising purposes, has already shut down operations.

The HDC Office in New York is still collecting funds. The HDC mailing list has now reached 90,000.

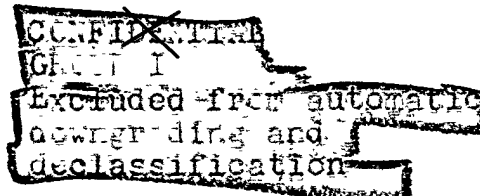
Funds are being solicited from the New York Office by the Buffalo Defense Committee, 699 Elmwood Avenue, Buffalo, New York, where it is claimed, that expenses are very-heavy.

The Buffalo Office is being run by BOB WALL, a former Special Agent of the Federal Bureau of Investigation (FBI).

The Camden Defense Committee, 574 Benson Street, Camden, New Jersey, is receiving financial support from the New York Office of HDC.

In a leaflet, dated February 16, 1971, the HDC, also known as The Defense Committee, described itself as a group which will intergrate local efforts, build a national defense fund, and serve as a clearinghouse for information concerning the defendants who were indicted in Harrisburg, Pennsylvania in January, 1971.

*declassified AWH*  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED *6/17/77*  
DATE *7-15-80* BY *SP-5 RGH/Hur*



This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation (FBI). It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

*h/s sent to app. office*

*100-460495-*

REC-58 100-460495-5606

May 18, 1972

EX-114

~~REC-58~~



b6  
b7c

Dear Mr. Cassel:

I received your letter on May 12th. Since the files of the FBI are maintained as confidential pursuant to regulations of the Department of Justice, I am unable to comply with your request.

Sincerely yours,

L. Patrick Gray III

L. Patrick Gray, III  
Acting Director

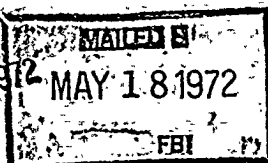
NOTE: Bufiles disclose no record identifiable with correspondent.

JPK:ped (3)  
ped

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5 168/142

Felt \_\_\_\_\_  
Mohr \_\_\_\_\_  
Rosen \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Casper \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Waikar \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

MAY 26 1972  
JUN 1 3 10 72



MAIL ROOM ☐ TELETYPE UNIT ☐

*Handwritten signatures and initials*  
6/7/72

UNRECORDED COPY FILED IN 157-24488

*Emilwe*

*REW*

*JPK*

O  
EASTCON

[Redacted]

May 2, 1972

7/1052

Mr. Tolson	_____
Mr. Felt	_____
Mr. Campbell	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	b6
Mr. Bates	b7C
Mr. Waikart	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Federal Bureau of Investigation  
Washington, D.C.

Gentlemen:

I am writing to you to find out what [Redacted] is going to do now that the "Harrisburg Seven" trial is over. It seems that someone like [Redacted] should go and hide from the shame that he has put on many people. Besides hurting the reputations of the "Harrisburg Seven," he has also helped to hurt the image of the FBI. Don't get me wrong, but a respected organization, such as the FBI, should be a little more careful of whom they pick for their informers.

Now that the trial is over, what is [Redacted] going to do? Is the FBI going to give him any protection or funds to help him along? I recalled reading during the trial here in Harrisburg that [Redacted] wanted a large sum of money and a new life out West--is he going to get it? I followed the trial closely and found that [Redacted] was very closely working with the FBI. Is he going to do any more work for the FBI or receive any more favors? As a concerned citizen, I feel that I have a right to know the truth about the follow-up on [Redacted]

Sincerely yours

[Redacted Signature]

EX-114

REC-58

100-460495-5606

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-15-80 BY SP-5  
BFW/ur

18 MAY 12 1972

CORRESPONDENCE

MAY 26 1972

ACK 5-18-72  
JPK/red

EXP. PROC.

88 MAY 12 1972  
137-24488  
5-24

UNRECORDED COPY FILED IN

ACTING DIRECTOR, FBI (100-457882)

~~CONFIDENTIAL~~

5/22/72

SAC, PITTSBURGH (100-17084)

~~CONFIDENTIAL~~

PITTSBURGH DEFENSE COMMITTEE  
FOR THE BERRIGAN CONSPIRACY, aka  
Pittsburgh Defense Committee (PDC)  
IS - REVOLUTIONARY ACTIVITIES (EASTCON)  
(OO: PITTSBURGH)

Re Pittsburgh letter to Bureau dated 3/15/72.

On 4/24/72, [REDACTED], who has furnished reliable  
information in the past, advised that the [REDACTED] of  
the PDC was held [REDACTED]

b2  
b6  
b7C  
b7D

[REDACTED] (U)

As this group, PDC, is now disbanded, this case  
is being closed.

3-Bureau

(1-100-460495) (EASTCON)

1-New York (100-172210)

2-Philadelphia (100-52844)

(1-100-51190) (EASTCON)

2-Pittsburgh

(1-100-16840) (EASTCON)

100-460495-

JJR/djb  
(8)

NOT RECORDED  
MAY 30 1972

CLASS. & EXT. BY  
REASON - FCIM II, 1-2.4.2  
DATE OF REVIEW 5-22-90

~~CONFIDENTIAL~~

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF  
DATE 7-20-80

ORIGINAL FILED IN

57 JUN 1 1972

~~CONFIDENTIAL~~

NR022 PH PLAIN

603 PM NITEL 5-19-72 DCC

TO ACTING DIRECTOR (98-46756) -

WASHINGTON FIELD (98-625)

FROM PHILADELPHIA (98-2534) TWO PGS

*WCL*  
*Amplified*  
*9-ASTCON*

UNSUBS; DAMAGE TO APPROXIMATELY THREE HUNDRED THIRTEEN BOMB CASINGS,  
M K EIGHT TWO, AMF., INC., YORK, PA., MARCH TWENTYSIX, LAST, SABOTAGE;  
DGP; OO: PHILA.

RE PHILA. TELETYPE, MAY EIGHTEEN LAST.

ON MAY NINETEEN INSTANT, [REDACTED]

[REDACTED], ADVISED HIS DAUGHTER, [REDACTED]

[REDACTED] AT REQUEST OF POLITICAL SCIENCE PROFESSOR, TEMPLE UNIVER-  
SITY, TOOK SEMESTER OFF FROM TEMPLE UNIVERSITY TO COVER BERRIGAN

TRIAL FOR THE PROFESSOR, WHO IS WRITING A BOOK. PART OF COVERAGE  
REQUIRES RESEARCH AT THE BERRIGAN DEFENSE ATTORNEY'S OFFICE IN

WASHINGTON, D.C. (WDC). [REDACTED] CURRENTLY IN WDC FINISHING 1972

THIS RESEARCH AND EXPECTED TO RETURN TO RESIDENCE BY MAY TWENTYTHREE  
NEXT OR MAY TWENTYFOUR NEXT. [REDACTED] EXPRESSED COOPERATION

WITH FBI AND STATED WOULD HAVE DAUGHTER CONTACT PHILA. OFFICE OR  
HE WOULD CONTACT PHILA. OFFICE ON HER RETURN.

END PAGE ONE

*4*  
57 JUN 1 1972

100-460495

NOT RECORDED

27 MAY 30 1972

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-15-80 BY SP-5 RTH/ur

ORIGINAL FILED IN 98-46756-134



PAGE TWO

[ ] ADVISED [ ] IS OPPOSED TO U.S. POLICY ON VIETNAM WAR, HAS EXPRESSED THIS OPINION AND HE RESPECTS HER RIGHT TO HER OPINIONS. HE IS CERTAIN SHE WOULD REGISTER HER DISSENT WITHIN THE SYSTEM ONLY AND WOULD NOT BE INVOLVED IN ANY ACTIVITY WHICH WOULD BE A VIOLATION OF THE LAW. HE WOULD SUPPORT HER RIGHT TO DISSENT WITHIN FRAMEWORK OF THE LAW BUT WOULD NOT SUPPORT HER COMMITTING ANY VIOLATION OF THE LAW.

b6  
b7C

[ ] INDICATED [ ] MAY GO TO LOS ANGELES TO COVER [ ] TRIAL, SINCE ATTORNEYS WHO DEFENDED BERRIGAN ARE ALSO DEFENDING [ ].

PHILA. WILL INTERVIEW [ ] ON HER RETURN TO THE PHILA AREA.

END

ACK FOR TWO TELS

HOLD FOR ONE

MRF FBI WA DC

CC: R. BATES

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI

FROM : SAC, DALLAS (100-12129) RUC

SUBJECT: EASTCON (DEMONSTRATION)

DATE: 5/26/72

Re WFO teletype to Bureau and other offices captioned above dated 3/17/72, and Dallas nitel to Bureau and Philadelphia dated 3/24/72.

The Dallas Division, through continuous contact with logical security informants has not developed any pertinent information re the above-captioned matter and there is no indication that any individuals or groups from the Dallas Division area attended or supported demonstrations at Harrisburg, Pennsylvania, 3/25-4/2/72.

In view of the above, Dallas is conducting no further investigation in this matter.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJB/142

1 dest  
2-Bureau (RM)  
2-Philadelphia (RM)  
1-Dallas  
JWA:pjc  
(5)

REC-12

EX-109

100 - 460495 - 5608  
JUN 1 1972  
MAY 31 1972



5010-108-02

JUN 7 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Rev. Sec.

1 - Mr. F. B. Griffith

SAC, New Haven (100-20703)

6/2/72

Acting Director, FBI (100-460495)

b6  
b7c

EASTCON

Letter dated 4/20/72, captioned "  
et al; SSA; DGP."

The question of prosecution of instant case in New Haven was discussed with Departmental attorney W. S. Lynch, in view of the fact the instant case was included as an overt act in the Bill of Particulars in the Eastcon trial, Mr. Lynch has no objection to the prosecution of the New Haven draft board break-in, provided any proposed use of Eastcon evidence or testimony is cleared through him prior to such use.

1 - New York (25-12340) et al.)

1 - 25-614038

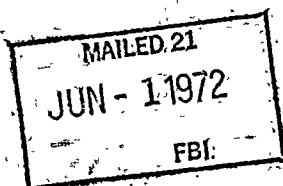
FBG:tlp  
(6)

NOTE:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-82 BY SP-5 RJB/jlg

The draft board break-in in New Haven, Connecticut, in July, 1970, was utilized in the Bill of Particulars submitted by the Government following the superseding indictment on 4/30/71 which expanded the Eastcon case to include the conspiracy aspects of various draft board break-ins. In view of the current status of the Eastcon case, Mr. Lynch has no objection to the prosecution of the New Haven draft board break-in case provided he is contacted before any Eastcon evidence or testimony is used.

Felt \_\_\_\_\_  
Mohr \_\_\_\_\_  
Rosen \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Casper \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_



EX-109

18 JUN 2 1972

61 JUN 8 1972  
MAIL ROOM ☒ TELETYPE UNIT ☐

UNRECORDED COPY FILED IN 45-614038

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Felt

DATE: 6/1/72

FROM : T. E. Bishop

SUBJECT: EAST COAST CONSPIRACY TO SAVE LIVES

Felt \_\_\_\_\_  
Mohr \_\_\_\_\_  
Rosen \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Casper \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E. S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_

b6  
b7C

The above-captioned title relates to the case recently tried in Harrisburg, Pennsylvania, on the plot to kidnap Henry Kissinger and blow up heating tunnels in Washington. [ ] a legman for Jack Anderson, telephoned Bishop on the afternoon of 6/1/72 and said that he has in his possession a copy of a Secret Service cable from the Intelligence Unit of Secret Service, Washington, to the Special Agent in Charge of the Secret Service detail in San Clemente which directs that the information in the cable be passed to Agent [ ] "of the Kissinger detail." The cable, according to [ ] states that the following report was received from the FBI on 9/4/70 and that no information has been developed by the FBI or the Secret Service to confirm the information in the cable. The cable, according to [ ] then quotes the "FBI report." From a description given by [ ] and a quick reading of it by him, it is obvious that it is a copy of a letterhead memorandum prepared by the Philadelphia Office dated August 26, 1970, on the above-captioned matter.

Dissemination was made to Secret Service, among other agencies by the Bureau on 9/3/70 and would, therefore, have been received by Secret Service on 9/4/70.

[ ] said that it was developed in the trial of this case at Harrisburg that the FBI gained possession of the so-called "kidnap letters" dated August 19 and 22, 1970, in the latter part of August, 1970. He said in view of this he wished to know if the FBI disseminated copies of these "kidnap letters" to Secret Service at the time it made its report to Secret Service, which was received 9/4/70, and if it did not, why it did not.

This matter has been checked with the Domestic Intelligence Division and the letterhead memorandum mentioned above was sent to Secret Service, as indicated above. The information contained in the so-called

- 1 - Mr. Rosen
- 1 - Mr. Bishop
- 1 - Mr. E. S. Miller
- 1 - Mr. M. A. Jones

(CONTINUED-OVER)

TEB:asg

16 JUN 14 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJN/12

57 JUN 1 1972

Bishop to Felt memorandum  
Re: East Coast Conspiracy to Save Lives

"kidnap letters" is basically contained in the letterhead memorandum and did not enclose copies of the so-called "kidnap letters" to Secret Service. It is noted the letterhead memorandum paraphrases the information contained in the "kidnap letters" because to do otherwise would disclose our informant who was still in place, working with the Berrigan group.

This case is presently in the litigation stage with post trial motions being tried and heard, to be followed by sentencing. In accordance with our usual policy in such a situation, and which Domestic Intelligence Division agrees with in this instance,            has been advised that the FBI has no comment to make on his inquiries since this matter is presently in litigation.

b6  
b7c

RECOMMENDATION

None. For information.

7

EM

TGB

PPK

Gm 6/17  
6/21 PM

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI

DATE: 5/31/72

FROM : SAC, PHILADELPHIA (62-5329) (C)

*East CON*

SUBJECT: UNSUBS (2); White Female Operating  
a Volkswagen Mini-bus Bearing New Jersey  
License PUK 862; White Male Operating  
Volkswagen Mini-bus Bearing New Jersey  
License VYL 312, Acting in Suspicious  
Manner in Vicinity of Williamsport  
Resident Agency,  
2/9/72  
SECURITY OF RESIDENT AGENCY SPACE  
(OO: PHILADELPHIA)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-10-80 BY 485

ORIGINAL FILED IN

EX-109

REC-72

100-460495-5613

Re Philadelphia nitel to the Bureau and  
Newark, dated 2/10/72; Newark teletype to Philadelphia,  
dated 2/16/72; and Philadelphia letter to Newark, dated  
3/28/72.

NOT RECORDED  
25 JUN 15 1972

On 2/9/72, at approximately 11:55 a.m., a  
white female was observed standing in the foyer of the  
building at 520 West 4th Street, Williamsport, Pa., in which  
building the Williamsport RA is housed. She was copying  
information from the building directory. She was followed  
from 520 West 4th Street to the 100 block of East 4th Street,  
where she entered a small bus-type vehicle, white in color,  
bearing New Jersey license PUK 862, and on the right rear of  
this vehicle was a circle with a silhouette of a steer's head  
in the circle, and on the circle was "American Angus  
Association Member." Parked almost directly across the  
street from his vehicle was a similar bus-type vehicle, blue  
in color, bearing New Jersey license VYL 312. A young man  
was sitting behind the wheel. When the girl drove from her  
parking space, the man followed her, both automobiles travelling  
west on 4th Street.

The Newark Office advised on 4/16/72 that New  
Jersey license VYL 312 was issued to [redacted]  
[redacted] for a 1967 Ford, SN HB-86674.

DELET.

- 1- Bureau
- 1- Newark (62-3709)
- 2- Philadelphia (1- 62-5329) (1- 66-6407)

REJ:caq



5010-108-01

JUN 20 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

JUN 7 1972

SEVEN

THREE

66-7235-446

PH 62-5329

He was born [redacted] in [redacted] is [redacted]

b6  
b7C

The Bureau of Motor Vehicles, Trenton, N. J., furnished information that New Jersey license PUK 862 was issued to [redacted] Augusta, N. J., for a 1970 Volkswagen sedan.

b6  
b7C

On 2/29/72, the Newark Office advised that a review of Rutgers University Student Directory for 1969-1970, and 1970-1971, and Student and Faculty Directory for 1971-1972 did not reveal anyone identical to [redacted] a student at the University. THOMAS STEVENSON, Chief of Police, Woodbridge, N. J., furnished information that the [redacted] family has been living in Woodbridge for quite a long time, and he knows of no problem encountered with the [redacted] family.

b6  
b7C

On 3/2/72, [redacted] Uniformed Patrol, Police Department, Williamsport, Pa., advised that

b6  
b7C

The Newark Office furnished information that [redacted] is married to [redacted]

The following investigation was conducted by SA [redacted]

At Selinsgrove, Pa.:

On 5/9/72, [redacted] (Confidential Source), Susquehanna University, advised [redacted] home address [redacted] is currently a student at Susquehanna and is in her sophomore year. He advised SEVERINSEN has not

b6  
b7C  
b7D

PH 62-5329

been involved in any kind of radical activity on campus to his knowledge and he has no information which would indicate she has any leanings in this direction.

He described her as a [redacted] born [redacted]  
[redacted] He advised  
[redacted] drives a red Ford Pinto with New Jersey license.

b6  
b7C

[redacted] advised no one by the last names of [redacted]  
or [redacted] are registered as students at Susquehanna.

Since the EASTCON Trial has concluded and continuous guard duty at the Williamsport, Pa. Resident Agency and spot surveillances in the vicinity of the Resident Agency have developed nothing to indicate that an effort will be made to enter this Resident Agency space, no further investigation in this matter will be made. UACB Newark discontinue investigation.



UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI (100-460495)      DATE: JUNE 13, 1972

FROM : SAC, BALTIMORE (100-27708) - RUC -

SUBJECT: EASTCON

No investigation remains at present in the Baltimore Division regarding this matter.

Baltimore will continue to follow and report activities of Eastcon subjects in their individual case files.

Inasmuch as there are no outstanding leads, at this time, Baltimore is placing this case in a closed status.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP5 RJK/ML

REC-47 100-460495-5614

EX-109

JUN 14 1972

2 - Bureau (REGISTERED MAIL)  
2 - Philadelphia (100-51190) (REGISTERED MAIL)  
1 - Baltimore  
WRH:bjp  
(5)



JUN 22 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI (100-460495)

DATE: 5/31/72

FROM : SAC, CHICAGO (100-50237) (c)

SUBJECT: EASTCON  
(OO: PHILADELPHIA)

There are no outstanding leads to be covered in captioned matter by the Chicago Division at this time and this matter is being considered RUC.

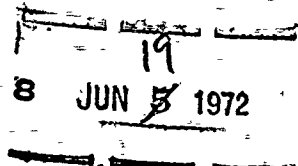
Chicago currently is conducting active investigation of [redacted] one of the principal subjects in captioned matter and results of that investigation will be submitted under the caption, [redacted] SM-ECCSL". In the event information is developed relevant to the Eastcon matter an appropriate communication will be submitted under that caption.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 BTH/ln #735

- 1-932 9th
- ② - Bureau (RM)
  - ② - Philadelphia (100-51190) (RM)
  - 1 - Chicago
- PLT/lae  
(5)

REC-70

EX-109



JUN 23 1972

Rev. Act. Sec.

UNITED STATES GOVERNMENT

# Memorandum

TO: *SW* ACTING DIRECTOR, FBI (100-460495) DATE: 5/31/72

FROM: *RHA/CAW* SAC, BUFFALO (100-20820) (RUC)

SUBJECT: *Q* EASTCON  
IS-REACT  
(OO: Philadelphia)

Re Report of SA CHARLES A DURHAM JR *Inv 5557* dated 4/11/72 at Philadelphia and captioned as above, and Bureau airtel 4/12/72 captioned "Potential Actions Against Government Installations By Supporters Of Berrigan Group".

There is no outstanding investigation to be conducted in the Buffalo territory regarding captioned subject organization. Informants and sources have failed to furnish any information to indicate that captioned organization is functioning as an organization in this area during recent months.

Separate cases have been opened on specific individuals in the Buffalo territory who have been involved in New Left activities and who have demonstrated a propensity for violent action, and results of these investigations will be submitted under individual captions.

In view of the above, this case is herewith being RUC'd the Office of Origin, Philadelphia. Buffalo will however utilize this case as a control file, and copies of communications will be channellized to this file where appropriate.

In the event information is received to indicate this organization is becoming active as an organization in this area this case will of course be reopened and the Bureau Philadelphia advised.

- 1 - 2-9K5  
(2) - Bureau  
2 - Philphia (100-51190) (RM)  
1 - Buff

RJS:rs  
(5)



5010-108-02

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-26-80 BY SP-5 *GLA/72*

JUN 23

U.S. Savings Bonds Regularly on the Payroll Savings Plan

EXP. PROC.

S

REC-116 100-460495-5616

10 JUN 5 1972

Rev. Sec.

1 **Or. F. B. Griffith**

SAC, San Francisco (100-68408)

6/21/72

Acting Director, FBI (100-460495) — 5617

*nh*  
EASTCON

REC-53  
EX-109  
*att*

Reurlet 6/5/72.

Inasmuch as the Eastcon trial in Harrisburg, Pennsylvania, is over and there is no outstanding investigation in your territory, you should place this case in a closed status.

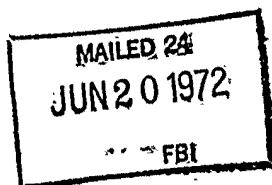
FBG:tlp *tlp*  
(4)

NOTE:

San Francisco advised in referenced letter it would continue investigation regarding Harrisburg disobedience actions reportedly planned for late March, 1972. Inasmuch as the trial is over, there is no need for such investigation.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-88 BY SP-5 JCH/1142

Felt \_\_\_\_\_  
Mohr \_\_\_\_\_  
Rosen \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Casper \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_



*PLS/329*  
JUN 26 1972

TELETYPE UNIT ☐

*Fry*

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI (100-460495) DATE: 6/5/72

FROM : SAC, SAN FRANCISCO (100-68408)

SUBJECT: EASTCON

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJA/ML

Re New York letter to Atlanta and other offices  
(FD-306) dated 4/28/72; and New York teletype to Bureau  
and other offices dated 4/28/72, captioned [REDACTED]  
[REDACTED] SM - NEW LEFT (ECCSL), OO: New York."

b6  
b7C

Referenced New York teletype advised Rev. DANIEL  
JOSEPH BERRIGAN was to travel to Palo Alto, California,  
for a speaking engagement at Stanford University, 5/7-9/72.  
BERRIGAN spoke before an audience of some 1,500 people at  
Memorial Church, Stanford University campus, on the  
evening of 5/5/72 and departed shortly thereafter in  
accordance with his itinerary.

During his speech, BERRIGAN read selections  
from two prose compositions expounding on the alleged  
decadence of American society. In concluding his pre-  
pared 40-minute remarks, BERRIGAN said it was not a  
"command" but a suggestion that people try to "shut  
off the technicological pre-history and put an end to  
the evil perpetrated by the iron-bound immodesty of the  
western giant"; and he encouraged members of the audience  
to write letters of support to his brother, PHILLIP  
BERRIGAN.

BERRIGAN was introduced by Religion Professor  
ROBERT MCAFEE BROWN, who closed the program by lauding  
BERRIGAN for his success in his recent troubles.

BERRIGAN was invited to speak by the Religious  
Studies Facility, Stanford University, and the Lecture  
Committee from the Office of Public Agents.

2 - Bureau (RM)  
1 - New York (100-157107) (Info.) (RM)  
2 - Philadelphia (100-51190) (RM)  
2 - San Francisco  
FCD/shd  
(7)

18 JUN 9 1972



5010-108

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EXP. PROC.

Rev. Act. Sect.

SF 100-68408  
FCD/shd

Individuals attending were charged an admission fee of \$1.00, which the "Stanford Daily" newspaper of 5/8/72 stated was for the defense of students arrested at El Camino College near Los Angeles, California, in April, 1972.

LEAD

SAN FRANCISCO

AT BERKELEY, CALIFORNIA. Will continue investigation concerning the Harrisburg Disobedience actions reportedly planned for late March of 1972.

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI (100-460495)

DATE: 6/16/72

FROM : SAC, BALTIMORE (100-27708) (RUC)

SUBJECT: EASTCON

Enclosed for the Bureau is a letter to the editor which appeared in the 6/10/72 edition of "The Evening Sun," Baltimore, Maryland. Enclosed for Philadelphia is one Xerox copy of the same letter.

Copies are being retained by Baltimore for EASTCON file as well as [redacted] individual case file.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 [signature]

COPIES  
EX-112

b6  
b7C

REC-58

EX-112

100-460495-5618

15 JUN 22 1972

1cc 932-D

ENCLOSURE

- ② - Bureau (RM) (Encl. 1)
- 2 - Philadelphia (RM) (Encl. 1)
- 1 - Baltimore

WRH:rrd

(5)

58 JUN 28 1972



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

[signature]  
Rev. Act. Sect.

(Mount Clipping in Space Below)

# The Forum: Letters to the Editor

## The Two Trials and a Lack of Consistency

SIR: The Evening Sun carried a lead editorial on June 5 concerning the outcome of the Angela Davis trial in California. It heralded our judicial system as a fair and just process. The editorial claims a similarity between this case and the trial of the Harrisburg Seven, stating that "in both cases the defendants were declared innocent, a double testimony to the ability of American courts to go for the facts buried under the emotions."

I would suggest that the editors look more closely at the facts. None of the defendants in the Harrisburg case were declared innocent. Two were found guilty of breaking a federal prison regulation, making them liable to 30 to 40 years in jail. The case was declared a mistrial in regard to the main conspiracy count after the jury failed to reach a unanimous verdict. All seven of us are still under indictment and bail restrictions until the government decides whether or not to re-try the case.

It is true, however, that the government lost both cases, but if there is a similarity in the results of the Angela Davis trial and the case of the Harrisburg Seven, it lies in the juries of both cases. These two juries have shown that no longer will good men and women accept and follow blindly the instructions of the judge, nor will they exclusively favor the prosecution as if it were the sole possessor of law and order. Juries are fi-

nally beginning to recognize that they are ultimately the highest authority in the courtroom, which is their right and their power.

Anyone who was present during the judge's instruction to the jury in our case, or has read the transcript, knows that Judge Herman instructed the jury to convict us. His zeal for a conviction led him to confuse and mis-state the facts and the law of conspiracy so badly that his prejudice became clear to the members of the jury. Several of the people on the jury have told us since then that it was this performance by the judge that convinced them of our innocence. They knew that the judge was wrong, at least ten of them, and that there were no facts that indicated a criminal conspiracy.

The jurors in our case and the Angela Davis case have also said by their verdicts that the government has abused our judicial system, and that it is wrong and destructive to use the law for political vindictiveness knowing there is no crime involved. For it is my belief that the government knew in both cases that the defendants were innocent of any criminal conspiracy, but like everyone else, they know the weakness of our conspiracy laws and they used them to attempt to lock up people who are outspoken political dissenters. The prosecutors counted on this view in trying to bury the meager facts under high emotions, but they underesti-

mated the intelligence of ordinary people who now have been shown to be more just than the Justice Department.

It is unfortunate that The Evening Sun cannot maintain a consistent editorial policy in this matter of our legal process. Almost exactly two months ago (April 6) the lead editorial after the verdict in our case stated: "These trials [Chicago Seven and Harrisburg Seven] have been too popular with the Justice Department under the Nixon Administration and certainly too political. This latest debacle, it is hoped, will chill the administration's enthusiasm for any more of them."

When Angela Davis makes the same observation in regard to her own trial, why does your paper blast her for her criticisms of our judicial process? Is it because she is black, or because she is a woman, or because she is a Communist, or because of all of these attributes? Is not this also the reason why she was held in jail without bail for nearly a year and a half despite the saying of our great judicial process that a person is innocent until proven guilty? There are so many things wrong with our process of law and order and so much to learn from trials like these that it seems very irresponsible to me for a paper like The Sun to advocate praise and the status quo in the midst of abuse and oppression that it chooses not to use.

REV. NEIL MCLAUGHLIN  
Baltimore

(Indicate page, name of newspaper, city and state.)

Page 4

THE EVENING SUN

Baltimore, Maryland

Date: June 10, 1972

Edition:

Author:

Editor:

Title: NEIL MC LAUGHLIN

Character: SM- SUBVERSIVE

or

Classification: 100- 27808

Submitting Office: Baltimore

☐ Being Investigated

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-16-80 BY SP-5 RLB/ML

100-460495-5618  
ENCLOSURE



UNITED STATES GOVERNMENT

# Memorandum

TO: ACTING DIRECTOR, FBI

DATE: 6/22/72

b6  
b7C

FROM: SAC, WFO (100-55120) (C)

SUBJECT: [REDACTED]  
SM - RA

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJB/ML

Eastcon

Investigation in this matter was instituted when [REDACTED] telephone number and address were found in the notebook of [REDACTED] in Madison, Wisconsin. However, no indication has been developed that [REDACTED] himself, has ever engaged in any YIP related activities.

WFO indices contain numerous references to [REDACTED] in connection with the EASTCON matter, as an associate of "Harrisburg 8" defendants and witnesses. No indication was developed, however, that [REDACTED] was directly involved in the EASTCON or MEDBURG matters.

Sources familiar with New Left and subversive activity in the Washington, D.C. area have been contacted regarding [REDACTED] and have been unable to furnish any positive information regarding [REDACTED] activities.

The following information regarding [REDACTED] is contained in WFO files:

Name:  
Address:

Date of birth:

Place of birth:

SSAN:

Employment: Employed as

EX-116

100-460495-5619

2- Bureau

WFO

JER:sjp

(3)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



WFO 100-55120

It does not appear that [ ] peripheral association with the EASTCON matter is sufficient to warrant the inclusion of his name in any category of the ADEX, and since no information has been developed which indicates that [ ] participated in any other activities of a radical or subversive nature, this case has been placed in a closed status, subject to re-opening if information is forthcoming which indicates [ ] actions so warrant. *INTERVIEW NOT AVAILABLE*

b6  
b7C

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Felt

DATE: 5/16/72

FROM : T. E. Bishop

SUBJECT: RONALD GOLDFARB  
AUTHOR AND FORMER JUSTICE DEPARTMENT ATTORNEY  
REQUEST TO INTERVIEW ACTING DIRECTOR GRAY

Felt ☒  
Mohr ☒  
Rosen ☒  
Bates ☒  
Bishop ☒  
Callahan ☒  
Campbell ☒  
Casper ☒  
Cleveland ☒  
Conrad ☒  
Dalbey ☒  
Miller, E. ☒  
Ponder ☒  
Soyars ☒  
Wakart ☒  
Walters ☒  
Tele Room ☒  
Holmes ☒  
Gandy ☒

At 2:40 p.m., 5/16/72, the above-captioned individual, who identified himself as an attorney in the Organized Crime Section in the Justice Department from 1961 to 1964, telephoned Bishop. He said that he is presently practicing law in Washington, D.C. and his telephone number is NA 8-3266. In addition, he is the author of books entitled, "The Contempt of Power" and "Ransom: A Critique of the American Bail System."

Our files reflect that Goldfarb is a graduate of Syracuse University and Yale Law School, has authored the above two books, and was employed as an attorney in the Department of Justice from 1961 to 1964, under former Attorney General Robert Kennedy. There is nothing derogatory on him in our files.

Goldfarb advised that a book is being published by Harper-Row Publishing House dealing with the Berrigan case. Goldfarb advised that 6 persons are writing chapters for this book on various subjects and that he, Goldfarb, has been assigned to write a chapter discussing charges that the prosecution of Father Philip Berrigan, Sister McAlister and the other defendants in the Harrisburg trial was politically motivated. The other people mentioned by Goldfarb as contributing chapters to the book are Michael Novak, a well-known writer who is an expert on the radical Catholic movement, Burke Marshall, Assistant Attorney General in charge of the Civil Rights Division under Robert Kennedy, Robert Coles, a writer on psychology and psychiatry, who has done much writing in regard to the Berrigan brothers, and Robert Brown, a professor at Stanford University. Each person contributing a chapter to the book will share in the profits from it, if any.

- 1 - Mr. Rosen
- 1 - Mr. E. S. Miller
- 1 - Mr. Bishop
- 1 - Mr. Kinley
- 1 - Mr. M. A. Jones
- 1 - [redacted]

TEB:jo  
(7) JUN 30 1972

16 JUN 23 1972  
(CONTINUED-OVER)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RSV/AN

File in 100-460495

East Coast Conspiracy To Save Lives

Dep't of Justice  
Paul Killian  
advised 5/16/72  
ph

F436

5729

Bishop to Mr. Felt (continued)  
Re: RONALD GOLDFARB

Goldfarb advised that it had been suggested to him by Mr. Ned Beach, one of the staff on the Republican Policy Committee, that he contact Mr. Gray to determine if Mr. Gray would be willing to give him an interview on the topic of his chapter and discuss with him the allegations that the prosecution of the Berrigan case was politically motivated. He indicated that he would like Mr. Gray to discuss such matters as the preparation of Mr. Hoover's testimony before the Senate Appropriations Subcommittee, during which Mr. Hoover mentioned the investigation into the kidnap plot against Henry Kissinger and the plot to blow up underground heating ducts in Washington; the circumstances, several weeks before Mr. Hoover's Senate testimony, under which he had briefly mentioned these two plots while briefing some high level Congressmen and Senators at a White House conference; and any other information which would bear on the allegation that the FBI investigation and activities in the Berrigan case were politically motivated. Goldfarb stated that he has an "open mind" on the subject and has no preconceived opinions of any kind.

It was explained to him that Father Philip Berrigan and Sister McAlister have appealed their convictions and the appeal is still in a pending status, actively being considered by the Federal court. He was told that for this reason, it might not be possible for Mr. Gray to discuss this case in any way; or he might be subject to a charge that he is attempting to prejudice the case through publicity.

RECOMMENDATION:

It is recommended that Bishop advise Mr. Goldfarb that, while Mr. Gray appreciates the latter's invitation for him to discuss the Berrigan case with him, it will not be possible for Mr. Gray to do so because of the fact that the case is still pending in the Federal courts.

*Mrs. Lucht  
Gray to Goldfarb,  
advised on 5/18/72  
in absence of  
Goldfarb  
TCB*

*Agree.*

*5-17 9:44 PM*

*EM, TCB*

*R*

*WGC*

*CHK*

1 - Mr. S. B. Donahoe  
1 - Mr. J. P. Mohr  
1 - Mr. T. E. Bishop  
1 - Mr. E. S. Miller

Mr. E. S. Miller

6/22/72

R. L. Shackelford

1 - Mr. F. W. Waikart  
1 - Mr. C. W. Bates  
1 - Mr. T. J. Smith  
1 - Mr. R. L. Shackelford  
1 - Mr. E. B. Griffith

JACK ANDERSON'S COLUMNS IN  
"THE WASHINGTON POST"  
6/21/72

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJB/ML

Captioned column, which was headlined "Berrigan Trial Made Heroes," (copy attached) contains information from two FBI LHMs regarding the plots to blow up the Washington, D. C., utility tunnels serving Government buildings and to kidnap Presidential advisor Henry A. Kissinger.

b6  
b7c

Memorandum T. E. Bishop to Mr. Felt dated 6/1/72, captioned "East Coast Conspiracy to Save Lives." (copy attached) sets forth information regarding a contact by [ ] an employee of Anderson, with Mr. Bishop on 6/1/72. At that time [ ] said he had in his possession a Secret Service cable which quoted from an "FBI report" concerned with the plot to kidnap Dr. Kissinger. From the wording of this cable it was obvious the material therein came from an LHM disseminated to Secret Service on 9/3/70.

The other LHM mentioned in Anderson's column was concerned with the bombing plot. This material was a direct quote from a memorandum submitted by the Philadelphia Office on 6/24/70 captioned "East Coast Conspiracy to Save Lives." It was disseminated to the military intelligence agencies and Secret Service on 6/29/70.

Analysis of this article discloses it to be a typical twisted and distorted assembly of facts designed to publicize the Government in the worst light possible. In a footnote the article indicated [ ] had contacted Ramsey Clark regarding the LHMs. Clark, according to the article, stated that the Government did not turn over "these damning documents" at the Harrisburg trial. This distortion of the truth implies the

Enclosures

① - 100-460495 (Eastcon)

FEG:tlp  
(11)

100-460495-  
CONTINUED - OVER

NOT  
170 JUL 20 1972

53 AUG 18 1972

74690-2  
65-  
ORIGINAL FILED IN

Memorandum to Mr. E. S. Miller  
Re: Jack Anderson's Columns in  
"The Washington Post" 6/21/72

Government withheld information from the defense and did not comply with the Court's order regarding discovery and inspection. The fact is the original FD-302s containing the first recording of the information in the LHM was made available to the Harrisburg defense attorneys.

Previous analyses of several of Anderson's columns which appeared in the month of May, 1972, have indicated he has no doubt obtained copies of certain FBI documents from Secret Service and/or the White House. In view of the authenticity of the information appearing in the attached column, it is apparent Anderson has a pipeline into Secret Service files. It is clearly obvious, however, that the conclusion Anderson draws, namely "Apparently, the Justice Department's objective was to get the 'Harrisburg Seven' into court and take a chance the jury might convict them because of prejudice if not evidence" is not supported by any document in his possession.

ACTION:

None. This is for your information.

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>NEW YORK</b>	OFFICE OF ORIGIN <b>NEW YORK</b>	DATE <b>6/22/72</b>	INVESTIGATIVE PERIOD <b>4/5 - 5/18/72</b>
TITLE OF CASE  <b>ELIZABETH ANN MC ALISTER</b>  <i>Eastcon</i>		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 15px;"></div>	TYPED BY <b>lxp</b>
		CHARACTER OF CASE  <b>SM - NEW LEFT</b>	

REFERENCES:

New York report of SA   4/24/72.  
Philadelphia report of SA CHARLES A. DURHAM, JR.,  
4/11/72, in case entitled "East Coast Conspiracy To Save  
Lives (ECCSL)," IS - New Left; DGP; Kidnapping; Sabotage -  
Conspiracy; PH 100-51190, Bufile 100-460495).

- C -

ADMINISTRATIVE:

Copies are being forwarded Philadelphia, origin in  
ECCSL matter, as noted above.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJS/HAL

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:  (5) Bureau (100-461429) (RM) (1) 100-460495 2- Philadelphia (100-51190) (RM) 3- New York (100-169927) (1- 100-168839)		100-460495 -	
		NOT RECORDED 49 JUL 3 1972	

Dissemination Record of Attached Report					Notations
Agency					
Request Recd.					
Date Fwd.					
How Fwd. By					

67 AUG 4 1972

NY 100-169927

ADMINISTRATIVE (Con't)

Copies of this report are not being disseminated to Secret Service, inasmuch as public information is reiterated herein. In addition, upon completion of the litigation process concerning subject, i.e., sentencing and expected subsequent appeal, a more comprehensive and complete report may be submitted.

In view of the sparsity of reported activity on subject's part and in accordance with Buairtel, 11/15/71, "Security Investigation of Individuals, this matter is being placed in a closed status, to be reopened in accordance with said airtel instructions and as merited by conclusion of litigation proceedings.

No classification is being afforded this report in view of the nature of material contained herein, all of which has been publicized in the media.



NY 100-169927

1. ☒ Subject's name is included in the ADEX., Category ☒ I ☐ II ☐ III ☐ IV
2. ☒ The data appearing on the ADEX Card are current.
3. ☐ Changes on the ADEX Card are necessary and Form FD-122 submitted to the Bureau.
4. ☒ A suitable photograph ☒ is ☐ is not available.  
Date photograph was taken 1/12/71
5. ☐ Subject is employed in a key facility and \_\_\_\_\_ is charged with security responsibility. Interested agencies are \_\_\_\_\_
6. ☐ This report is classified \_\_\_\_\_ because (state reason)

7. ☒ Subject previously interviewed (dates) January 12, 1971  
☒ Subject was not ☐ interviewed ☒ reinterviewed because (state reason) at the time of interview on 1/12/71, subject was under arrest by Bureau agents and refused any statement. Subject has not been reinterviewed in view of her continuing litigation re being found guilty on 4/5/72, for violation of Title 18, USC, Section 1791, three counts, (Introduction of Contraband Charges).

8. ☐ This case no longer meets the ADEX criteria and a letter has been directed to the Bureau recommending cancellation.
9. ☐ This case has been reevaluated in the light of the ADEX criteria and it continues to fall within the criteria of Category marked above because (state reason)

10. ☒ This case has been reevaluated in the light of the ADEX criteria and it should be tabbed Category ☒ I ☐ II ☐ III ☐ IV because (state reason) subject advocates the building or communities whose sole function is draft board break-ups and openly advocates destruction of property.

11. ☒ Security Flash Notice (FD-165) to Identification Division:  
☒ Submitted 4/5/72 Placed ☐ Yes ☐ No  
(date)
12. ☒ Subject is Extremist in Category I of ADEX and Stop Notice has been placed with the Bureau Stop Index.

- C\* -  
(COVER PAGE)

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Date:

6/22/72

Office: New York, New York

b6  
b7c

Field Office File #:

100-169927

Bureau File #: 100-461429

Title:

ELIZABETH ANN MC ALISTER

Character:

SECURITY MATTER - NEW LEFT

Synopsis:

On 4/5/72, jury returns guilty verdict re subject on three counts of T 18, USC, Section 1791. News item entitled, "Sister's talk is challenged" set forth, followed by second article, "Sister answers the unanswered."

- C -

DETAILS:

On April 5, 1972, the Jury in the Federal trial of ELIZABETH ANN MC ALISTER and six others, collectively known as the "Harrisburg 7", returned at Harrisburg, Pennsylvania, the following verdicts relating to subject:

Count I (Conspiracy): Title 18, United States Code, Section 1361, Section 2071, Section 844 (f), Section 1201 - No Verdict

Counts V, VII and IX (Introduction of Contraband Charges): Title 18, United States Code, Section 1791 - Guilty

Count II (Threatening Communication Charges): Title 18, United States Code, Sections 876 and 2 - No Verdict

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-16-80 BY SP-5 RLB/lyc

NY 100-169927

Judge R. DIXON HERMAN, Trial Judge, has set no date for sentencing and on April 5, 1972, released subject on her present bail. Judge HERMAN dismissed the Jury on the same date.

On May 18, 1972, an article relating to subject appeared on page 3B of a Nyack, New York daily newspaper, the Journal-News. The article was entitled "Sister's Talk to challenge" and is quoted as follows:

"The appearance of Sister Elizabeth of the Harrisburg Seven at Pomona Junior High School tonight was blasted by Conservatives.

"Mrs. Estelle DiRoberts, county Conservative Party chairman, charged, 'Our schools have become the transmission belts for anti-American and anti-establishment propaganda. This anti-American activity by students and teachers is a masquerade under the guise of freedom of speech.

"We do not send our children to school to be indoctrinated by teachers who possess questionable loyalty to this nation. We send our children to school to be educated. It's time the state called a halt to our schools being used for political activity,' Mrs. DiRoberts declared.

"Mrs. Mabel Faulkner, a Ramapo Conservative, told the Ramapo 2 school board Wednesday night that its school-use policies would allow the devil to speak in the district.

"When school administrators said the Civil Liberties Union meeting at 8:15 p.m. was 'within the parameter of our policies' and that the district did not get into 'controversies,' Mrs. Faulkner declared, 'It would be fine then if they asked the devil to speak. Believe me, they are quite capable of doing such a thing.'

"Mrs. DiRoberts said she would lead pickets tonight to protest the nun's appearance.

"Mrs. Jean Robie of Spring Valley, who will march with Mrs. DiRoberts, took issue with a headline over a news report in Wednesday's Journal-News concerning the planned project. Mrs. Robie said her followers support American policy in Vietnam but said their description as 'war backers' was inaccurate."

NY 100-169927

On May 19, 1972, a second article appeared in the same newspaper. This article, by JAMES SURKAMP, Staff writer, appearing on page 1B, was entitled "Sister answers the Unanswered" and is quoted as follows:

"Nearly 300 people, including a small but vocal group of pickets, heard Sister Elizabeth McAlister of the Harrisburg Seven raise 'the unanswered questions' about her trial Thursday night.

"On the invitation of the county American Civil Liberties Union, Sister McAlister spoke at Pomona Jr. High School about her declining faith in some aspects of the country's legal system.

"Sister McAlister is one of seven defendants who may be tried soon in Harrisburg, Pa., for allegedly conspiring to kidnap Henry Kissinger and bomb the Capitol. Two defendants, including Sister McAlister, were convicted on lesser charges of smuggling mail into a state penitentiary.

"We all have equal opportunity under the law. But it just isn't true. We don't know that until you step inside a courtroom. It's a very radicalizing sort of experience," she said.

"Later Sister McAlister added that she will not 'write off' the legal system but only correct the wrongs within it.

"The end I'd like to see is a deep respect for humanity and individuality. We have a task of changing attitudes."

"A group of about twenty demonstrators, headed by Mrs. Joan Robie of Spring Valley, picketed the speech with posters saying 'We Can't Back Down Now' and 'Civil Disobedience Brings Destruction.' A confrontation occurred as Sister McAlister arrived when Mrs. Robie challenged the nun's religious convictions.

"There's the part of the Bible where the armies surround the children of God - the armies that God ordered to save them," said Mrs. Robie, drawing a parallel with Sister McAlister's pacifist stance.

"But those armies had nothing to do with arms and power of any kind. They were armies of spirit," was the sister's answer.

NY 100-169927

"Using what she said were facts from the trial records. Sister McAlister documented her claim that her civil liberties were violated by 'trumped-up' charges made by the FBI.

"She said she will appeal her conviction after sentencing.

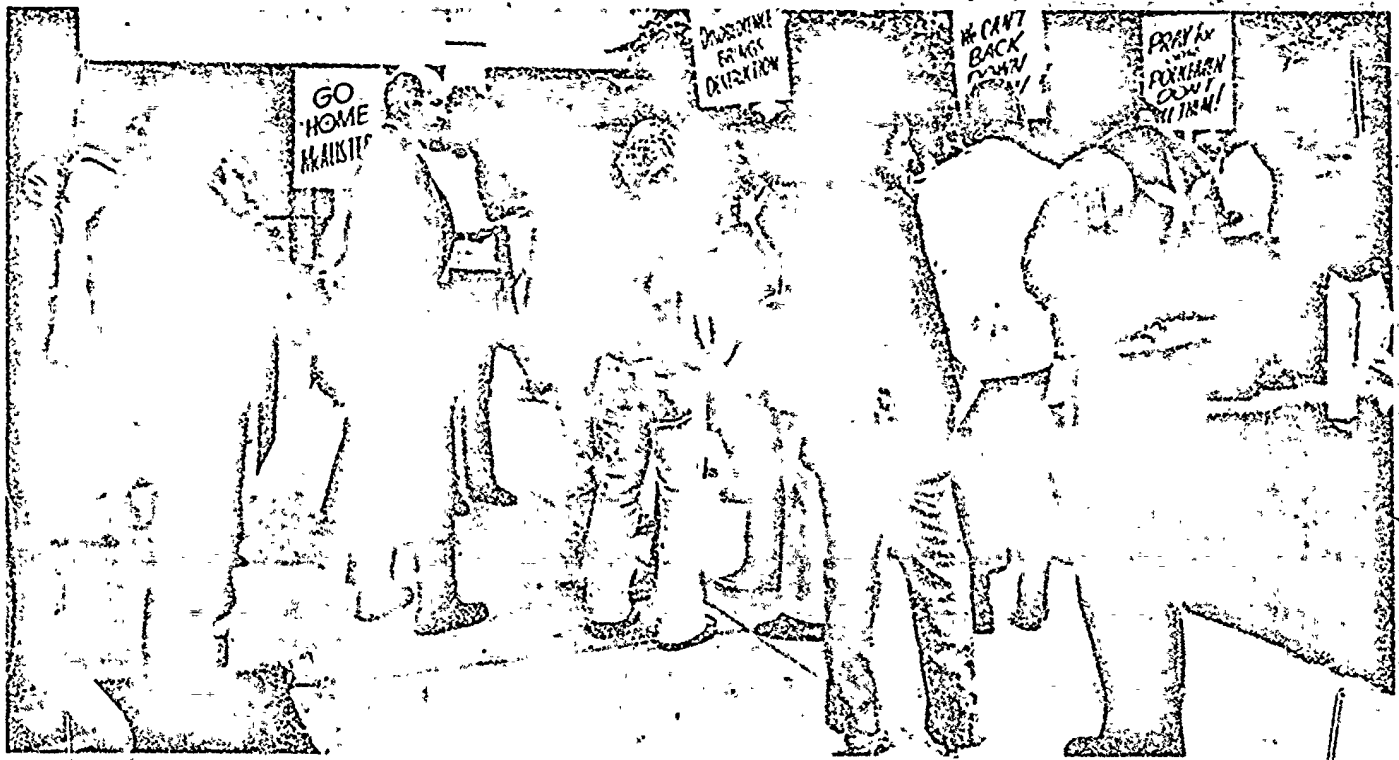
"As for the alleged guilt in plotting to kidnap Henry Kissinger, she said: 'No way. It never existed. They thought we were a brain trust behind a number of demonstrations, but that was a misconception of the FBI.'

"Although Sister McAlister was convicted under a law passed in 1928 for smuggling a letter to the Rev. Philip Berrigan in Lewisburg, Pa., Prison, she said 'I do not think I broke a law.' Her conviction was one of the first under the seldom-enforced law.

"May of the methods used by the FBI in obtaining indictments against the seven were illegal, she claimed, and serious 'invasions into the judicial branch to the executive.'

"She said that 'terribly fabricated' letters had been submitted by the FBI as samples of her own.

"She said that evidence used in court was gathered by innumerable cases of illegal searches and delays in prosecution of other charges to create the impression of 'a conspiracy.'"



Al Wit photo

Demonstrators mill about in front of Pomona Jr. High School Thursday evening.

UNITED STATES GOVERNMENT

## Memorandum

TO :

J. W. MARSHALL

FROM :

I. W. Conrad

SUBJECT:

EAST COAST CONSPIRACY  
TO SAVE LIVES "EASTCON"  
{ECCSL};IS-MISC;DGP'

DATE: 7-18-72

Tolson \_\_\_\_\_  
Felt \_\_\_\_\_  
Rosen \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Ponder \_\_\_\_\_  
Bates \_\_\_\_\_  
Waikart \_\_\_\_\_  
Walters \_\_\_\_\_  
Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

b6

b7C

100-460495

There is enclosed the file which has been maintained  
in the Laboratory in connection with the above-captioned matter.  
It is desired that this file be maintained as an enclosure to the  
main file in the Records Branch.

Enc.

ENCLOSURE ON BUTKY BAND  
ENCLOSURE  
57 JUL 27 1972

100-460495-5621  
NOT RECORDED  
16 JUL 19 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 [signature]



FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

1 - Lab File  
1 - Mr. Conrad  
1 - Mr. Bledsoe, 5716  
1 - [redacted]

To: SAC, Philadelphia (100-52769)  
(92-7165)

Date: July 3, 1972

b6  
b7C

Re: [redacted]  
NISC - INFORMATION CONCERNING  
(MURDER SUSPECT)

*L. Patrick Gray, III*  
L. Patrick Gray, III  
Acting Director

FBI File No.  
Lab. No. D-720620030 LG  
CS-13911 JU

Examination requested by: Philadelphia  
Reference: Letter dated 6/16/72  
Examination requested: Document - Cryptanalysis  
Remarks:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RSH/yl

100-460495-  
NOT RECORDED  
78 JUL 11 1972

Enclosures (3) (3 Laboratory reports)

1 - 52-94527  
1 - 52-94781  
① - 100-46095

DUPLICATE YELLOW

FJC:brw  
(11)

54 JUL 17 1972

ADMINISTRATIVE PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐

Felt \_\_\_\_\_  
Mohr \_\_\_\_\_  
Rosen \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Casper \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_

ORIGINAL FILED IN 100-460495-14



REPORT  
of theFEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535To: SAC, Philadelphia (100-52769)  
Re: (52-7165)Date: July 3, 1972  
FBI File No.

Lab. No.

D-720620030 LG  
CR-13911 JUb6  
b7CMISC - INFORMATION CONCERNING  
(MEDEBURG SUSPECT)

## Specimens received

6/19/72

Qc594 Photocopy of envelope postmarked "U. S. POSTAL  
SERVICE 3B77 28 OCT 1971" bearing the type-  
written address "U. S. Marshall 304 Fed. Bldg.  
Rochester, N. Y."Qc595 Photocopy of letter entitled "Say 'NO!' To Violence"

## Result of examination:

No language or linguistic style-of-writing characteristics were found in specimen Qc595 to indicate significant similarity or dissimilarity with the language characteristics of MEDEBURG specimens composed by the Citizens' Commission to Investigate the FBI or GARDEBURG ATTEMPT specimen Q50.

Disposition of specimens submitted and result of document examination handled separately.

FJC:brw  
(11)

~~SECRET~~

4-787 (5-27-80)

NOTICE OF

CLASSIFICATION ACTION

File #

100-460495

Serial

5622

Classified And

Extended by

SP-5

RTG/ML

Reason For Extension

FCIM, II, 1-2.4.2

Date of Review For

Declassification

7-10-~~SEP~~ 2002

DECLASSIFICATION AUTHORITY DERIVED FROM

FBI AUTOMATIC DECLASSIFICATION GUIDE

DATE 01-14-2011

~~SECRET~~

FBI/DOJ

NOTICE OF  
CLASSIFICATION  
ACTION

File # 100-460495 Serial 5622

Classification Secret

Exempt from GDS, Category 1

Date of Declassification - Indefinite

Reviewed by 2040 RWH

Date 6/6/77

UNITED STATES GOVERNMENT

# Memorandum

~~Secret~~

TO : Acting Director, FBI (100-460495)  
(Att.: DOMINTEL)

DATE: 7/20/72

FROM : SAC, Philadelphia (100-51190) (P)

SUBJECT: EASTCON

~~SECRET~~

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF Class  
DATE 7-23-82  
sw 4613

Re Legat, Ottawa airtel to Bureau dated 10/15/71;  
Buairtel to Legat, Ottawa, dated 10/27/71; Legat, Ottawa  
airtel to Bureau dated 2/17/72; Buairtel to Legat, Ottawa,  
dated 2/24/72; Ottawa letter to Bureau dated 7/10/72. u

It is to be noted all the above references pertain  
to [redacted] and the related need for  
[redacted] to continue verifying their current address and/or  
work status in Canada. (u)

A review of the EASTCON file in this regard shows  
Chief Prosecutor WILLIAM S. LYNCH had requested the continuing  
verifications concerning the [redacted] during the EASTCON  
trial, because he wished to serve them subpoenas. u

In view of the current status of the EASTCON case,  
UACB, the Bureau is requested to furnish a copy of this  
communication to Legat, Ottawa, with the request that  
be advised their periodic checks concerning the [redacted]  
are no longer desired. (u)

100-932 DB

- ⑥ - Bureau (RM)
  - ② - 100-460495 (EASTCON)
  - 2 - 100-457953 [redacted]
  - 2 - 100-461811 [redacted]
- 3 - Boston (RM)
  - 1 - 100-41615 (EASTCON) (Info)
  - 1 - 100-42096 [redacted] (Info)
  - 1 - 100-41679 [redacted] (Info)
- 3 - Philadelphia
  - 1 - 100-51190 (EASTCON)
  - 1 - 100-51302 [redacted]
  - 1 - 100-51308 [redacted]

CLASS. & EXT. BY SP-5 RJB/ML  
REASON - FCIM 4.2  
DATE OF REVIEW 7-20-92

ST 104

REC-39 100-460495-5623

CAD:VFH  
(12)

~~Secret~~

~~SECRET~~



5010-108-01

0-7 OTT (2)

R/S

Classified by 2040  
Exempt from GDS Category 1  
Date of Declassification Indefinite

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

1/5. sent to appo offices re  
classification

b6  
b7C  
b7D

b6  
b7C

UNRECORDED COPY FILED

100-457953-1

100-461811-1

OPTIONAL FORM NO. 10  
MAY 1962 EDITION  
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

# Memorandum

~~Secret~~

TO : ACTING DIRECTOR, FBI (100-457953)

DATE: 7/10/72

FROM : SAC, BOSTON (100-41679) (P\*)

~~SECRET~~

b6  
b7C

SUBJECT:

SM - RA (EASTCON)  
OO: BOSTON

Re Boston letter and LHM dated 12/7/71 and  
Boston nitels dated 4/7/72 and 4/14/72. *u*

Attached are 9 copies of an LHM setting forth  
information concerning the subject. *u*

For information of the Bureau, an F-1 stop is  
continuing in effect with INS. *u*

This case is being maintained in a P\* status. *u*

Boston indices contain no information concerning

or

ENCLOSURE

CLASS. & EXT. BY *SP-5 P. J. H. / K*  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW *7-10-92*

4-Bureau (Encs. 9) (RM)  
(2-100-460495) (EASTCON)

2-Philadelphia (100-51302) (Encs. 2) (RM)  
(1-100-51190) (EASTCON)

2-WFO (Encs. 2) (RM)  
(1-100-52290) (EASTCON)

3-Boston  
(1-100-41615) (EASTCON)  
(1-100-42096)

DJQ/md  
(11)

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF *Class*  
DATE *7-23-80 JC*

~~Secret~~

*100-460495-*

NOT RECORDED  
JUL 17 1972

Classified by *2040*  
Exempt from GDS Category *1*  
Date of Declassification Indefinite  
*6/6/77* *Ruth*

ORIGINAL FILED IN 100-457953-20

BS 100-41679

~~SECRET~~

[redacted] u

Boston indices reflect [redacted] as a suspect in Medburg, however, there is insufficient information for a suitable characterization. u

The first source mentioned is a confidential source abroad. u

The second source mentioned is a confidential source. u

~~SECRET~~

BS 100-41679

~~Secret~~

~~SECRET~~

NON-SYMBOL INFORMANT PAGE

The first source is  ~~S~~ (u)

b7D

The second source is a confidential source of the Philadelphia Office as set forth in Philadelphia letter to Boston dated 2/24/72. u

~~Secret~~

NON-SYMBOL INFORMANT PAGE

~~SECRET~~



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Boston, Massachusetts

In Reply, Please Refer to  
File No.

July 10, 1972

~~SECRET~~

b6  
b7C

On April 7, 1972, Wesley Pyle, United States Immigration Inspector, Calais, Maine, advised that [redacted] had entered the United States at Calais as a passenger in a 1969 Datsun, bearing Maine registration 624-585. [redacted] indicated he was destined to [redacted]

b6  
b7C

Other occupants of the car were [redacted]

b6  
b7C

Bangor, Maine and [redacted] of Canada.

Records of Maine Motor Vehicle Bureau reflect Maine registration 624-585 was issued March 3, 1972 to [redacted] born [redacted] residing at [redacted]

b6  
b7C

On April 16, 1972, [redacted] was taken into custody by Special Agents of the Federal Bureau of Investigation (FBI) at Houlton, Maine, for violation of the Selective Service Act.

b6  
b7C

[redacted] stated that he worked with [redacted] at the Youth Employment Service, 5970 University Avenue, Halifax, Nova Scotia. He stated [redacted] had recently visited Bangor, Maine and had returned to Halifax.

b6  
b7C

In May of 1972, a confidential source abroad advised that [redacted]

b6  
b7C  
b7D

(U)

7-16-80  
CLASS. & EXT. BY SP-5 [redacted]  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 7-10-92

100-460495-~~SECRET~~

ENCLOSURE

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S)  
DATE 7-23-80



[REDACTED]

~~SECRET~~

In February of 1972, a confidential source, who has furnished reliable information in the past, advised that [REDACTED] had left her husband [REDACTED] and was living in the Halifax, Nova Scotia area with [REDACTED]

[REDACTED] According to this source, both [REDACTED] and [REDACTED] wanted to return to the United States, but felt they would encounter trouble when they tried to cross the border from Canada; however, both are still considering returning to the United States. (S)

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET~~

UNITED STATES GOVERNMENT

# Memorandum

na  
St  
TO : ACTING DIRECTOR, FBI (100-460495)

FROM : SAC, PITTSBURGH (100-16840) (RUC)

SUBJECT : EASTCON  
(OO: PHILADELPHIA)

DATE: 7/21/72

A review of captioned matter indicates that Pittsburgh has completed all logical investigation in this matter, and this case is, therefore, being considered RUC.

2-Bureau  
2-Philadelphia (100-51190)  
1-Pittsburgh  
DFW/cbl  
(5)

1 dist

Z  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RAB/142

REC-67  
EX-116

100-460495-5624

JUL 24 1972



R-361  
JUL 24 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>BALTIMORE</b>	OFFICE OF ORIGIN <b>BALTIMORE</b>	DATE <b>7/26/72</b>	INVESTIGATIVE PERIOD <b>6/21/72 - 7/3/72</b>
TITLE OF CASE <b>NEIL RAYMOND MC LAUGHLIN</b>		CHARACTER OF CASE <b>SM - REVOLUTIONARY ACTIVITIES</b>	TYPED BY <b>rrd</b>

## REFERENCE:

Report of SA [redacted] dated 12/10/71, at Baltimore, Maryland.

- P -

## LEAD:

BALTIMORE DIVISIONAT BALTIMORE, MARYLAND

Will continue to follow and report subject's activities.

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF [redacted]  
DATE 7-25-80 JC

CLASS. & EXT. BY SP-5 RJB/um  
REASON - FCIM 11, 1-4.2  
DATE OF REVIEW 7-26-92

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED: [Signature]

SPECIAL AGENT  
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- (5) - Bureau (REGISTERED MAIL)  
(100-460495)  
2 - Philadelphia (REGISTERED MAIL)  
(100-51190)  
2 - Baltimore (100-27808)

100-460495-5625  
100-461-58  
JUL 28 1972  
REC 25  
EX-105

## Dissemination Record of Attached Report

Notations

Agency	RPO-ISA (2), SS, 10		
Request Recd.			
Date Fwd.	8/21/72		
How Fwd.	OS		
By	FBG/wlc		

~~CONFIDENTIAL~~

BA 100-27808

~~CONFIDENTIAL~~

ADMINISTRATIVE DATA:

Local dissemination of this report is being held in abeyance at the present time due to the extremely sensitive nature of this investigation concerning individuals involved in a plot to destroy the electrical system servicing Government buildings in Washington, D. C., and to kidnap a highly placed Government official.

INFORMANTS:

Identity of Source

Location

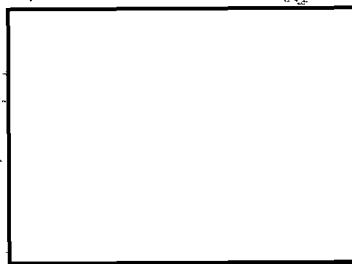
BA T-1 is a knowledgeable source

Instant Report

BA T-2 is

BA T-3 is

BA T-4 is



b2  
b7D

(u)

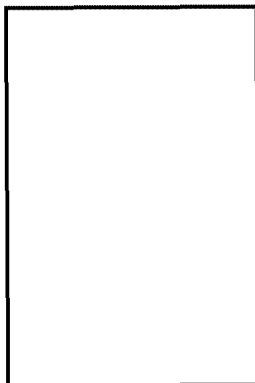
(u)

CURRENT NEGATIVE CANVASS OF INFORMANTS:

Source

Date of Contact

Contacting Agent



June 21, 1972  
June 26, 1972  
June 26, 1972  
June 22, 1972  
June 21, 1972  
June 26, 1972  
June 22, 1972  
June 23, 1972  
June 23, 1972  
June 23, 1972  
June 23, 1972

SA [redacted]  
SA AVERY DACUS  
SA AVERY DACUS  
SA [redacted]  
SA PAUL M. GRIBER  
SA [redacted]  
SA [redacted]  
SA [redacted]  
SA [redacted]  
SA [redacted]

b2  
b6  
b7C  
b7D

(u)

~~CONFIDENTIAL~~

1. ☒ Subject's name is included in the ADEX., Category ☒ I ☐ II ☐ III ☐ IV
2. ☒ The data appearing on the ADEX Card are current.
3. ☐ Changes on the ADEX Card are necessary and Form FD-122 submitted to the Bureau.
4. ☒ A suitable photograph ☒ is ☐ is not available.  
Date photograph was taken 1/12/71
5. ☐ Subject is employed in a key facility and ~~CONFIDENTIAL~~ is charged with security responsibility. Interested agencies are \_\_\_\_\_
6. ☒ This report is classified Confidential-Group 1 because (state reason) it contains information from sources of continuing value, BA T-2 through BA T-4, the unauthorized disclosure of which could possibly reveal the identity of these sources and thus compromise the future effectiveness thereof; such could have an adverse effect on the national defense interests of this nation.
7. ☒ Subject previously interviewed (dates) 1/12/71  
☒ Subject was not ☐ interviewed ☒ reinterviewed because (state reason) during the interview of 1/12/71, [redacted] indicated he did not want to make any comments to the FBI without the presence of his attorney. In view of his prominence resulting from the Harrisburg trial, it is believed that an attempt to interview him at this time could be embarrassing to the Bureau.
8. ☐ This case no longer meets the ADEX criteria and a letter has been directed to the Bureau recommending cancellation.
9. ☒ This case has been reevaluated in the light of the ADEX criteria and it continues to fall within the criteria of Category marked above because (state reason) in the Spring and Fall of 1970, he met with individuals on several occasions at Lewisburg, Pennsylvania, in connection with a plot to destroy the underground electrical system in Washington, D. C., and to kidnap HENRY KISSINGER.
10. ☐ This case has been reevaluated in the light of the ADEX criteria and it should be tabbed Category ☐ I ☐ II ☐ III ☐ IV because (state reason)
11. ☒ Security Flash Notice (FD-165) to Identification Division:  
☒ Submitted 3/4/71 (date) Placed ☒ Yes ☐ No
12. ☐ Subject is Extremist in Category I of ADEX and Stop Notice has been placed with the Bureau Stop Index.

~~CONFIDENTIAL~~

NONSYMBOL SOURCE ADMINISTRATIVE PAGE

BA T-1 is [REDACTED]

(By Request).

b6  
b7C  
b7D

1704 000  
~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE  
 FEDERAL BUREAU OF INVESTIGATION

b6  
 b7C

~~CONFIDENTIAL~~

Copy to:

Report of:

SA [REDACTED]

Office: Baltimore

Date:

July 26, 1972

Field Office File #:

100-27808

Bureau File #:

100-460495

Title:

Character:

SECURITY MATTER - REVOLUTIONARY ACTIVITIES

Synopsis:

[REDACTED] resides at

[REDACTED] was indicted by a Federal Grand Jury, Harrisburg, Pennsylvania, and charged with violation of Title 18, Sections 371, 1201 and 1791, United States Code and subsequently arrested in Baltimore, Maryland, January 12, 1971. [REDACTED] tried in Middle District of Pennsylvania on aforementioned charges; case declared mistrial after jury failed to reach unanimous verdict. [REDACTED] attended meetings of the Baltimore-Harrisburg Defense Committee and considered a key contact of the National Catholic Peace Fellowship.

- P -

DETAILS:I. BACKGROUND DATA:A. CURRENT RESIDENCE AND EMPLOYMENT:

[REDACTED] resides at the

CLASS. & EXT. BY SP-5 RJH/UK  
 REASON - FCIM 11, 1-2.4.2  
 DATE OF REVIEW 7-26-82

(BA T-1 on 7/3/72)

~~CONFIDENTIAL~~

APPROPRIATE AGENCIES  
 AND FIELD OFFICES  
 ADVISED BY ROUTING  
 SLIP (S) OF  
 DATE

7-16-80  
 SP-5 RJH/UK  
 7-26-82  
 declassified  
 by 2540  
 6/6/77

b6  
b7c

BA 100-27808

~~CONFIDENTIAL~~

During the trial of the Harrisburg 8 between January and April, 1972, [redacted] temporarily resided at [redacted]

(BA T-1 on 7/3/72)

B. CRIMINAL RECORD:

A Federal Grand Jury (FGJ), Harrisburg, Pennsylvania, returned an indictment concerning [redacted] on January 12, 1971, to United States District Judge (USDJ) DIXON HERMAN, Middle District of Pennsylvania, charging [redacted] with violation of Title 18, Sections 371, 1201 and 1791, United States Code (USC). USDJ HERMAN executed a bench warrant for [redacted] and recommended bond for [redacted] at \$50,000.

Identification records of the Federal Bureau of Investigation (FBI), Washington, D. C., disclosed that [redacted] was arrested January 12, 1971, and charged with violation of Title 18, Sections 371, 1201 and 1791, USC.

Between January and April, 1972, [redacted] was tried in the Middle District of Pennsylvania on charges of violation of Title 18, Sections 371, 1201 and 1791, USC. The case was declared a mistrial after the jury failed to reach a unanimous verdict. [redacted] continues to remain under indictment until the Justice Department decides whether or not to re-try the case.

On July 3, 1972, the following persons conducted a review of their respective files and advised they could locate no additional arrest record for [redacted]

[redacted]  
Central Records Bureau  
Baltimore City Police Department  
Baltimore, Maryland

[redacted]  
Maryland State Police  
Pikesville, Maryland

~~CONFIDENTIAL~~



BA 100-27808

~~CONFIDENTIAL~~

[redacted]  
Baltimore County Police Department  
Towson, Maryland

II. ACTIVITIES:

On December 4, 1971, [redacted]  
[redacted] attended a meeting of the Steering Committee of the Baltimore-Harrisburg Defense Committee. The topic of discussion dealt with plans being laid to have busses stop in small towns on the way to Harrisburg, Pennsylvania, and propagandize the case of defense of the Harrisburg 8. (X)

[(BA T-2 on 12/5/71)] (X)

BALTIMORE-HARRISBURG DEFENSE COMMITTEE

The Baltimore-Harrisburg Defense Committee was founded in 1971 to coordinate the legal, financial and political efforts of eight individuals indicted in Harrisburg, Pennsylvania, on charges which included breaking into Selective Service Offices, destroying Government property, and conspiracy to kidnap a high Government official and bomb tunnels to a Government building. BHDC is deeply involved in the anti-Vietnam War movement. The BHDC line is that any act, even violence, is morally justified if it is in the interest of stopping United States involvement in the Vietnam War. The BHDC encourages and endorses any act in the interest of disrupting the war movement, including such acts as destroying draft records.

[(BA T-2 on 2/1/72)] (X)

On January 14, 1972, [redacted] attended a meeting of the BHDC which was attended by members of the National Committee of the aforementioned organization. The discussion centered around plans for a pilgrimage to

~~CONFIDENTIAL~~

BA 100-27808

~~CONFIDENTIAL~~

Harrisburg, Pennsylvania, where the trial of the Harrisburg 8 was to take place. It was decided that the nation was to be divided into a number of regions and a coordinator would be chosen from each area to carry on the local and national program.

(u)

(BA T-3 on 1/15/72)

On February 13, 1972, a source advised that

is a key contact of the National Catholic Peace Fellowship (CPF).

(u)

(BA T-4 on 2/13/72)

CATHOLIC PEACE FELLOWSHIP

The CPF was founded as a non-membership body. Those who participated in their work are members of the non-denominational Fellowship of Reconciliation, a world organization which was founded in 1914 as a movement of Christian protest against the war and faith in a new means of resolving international conflict. CPF has long since become independent and with young staffers has turned toward a more radical New Left position. CPF is not an official organization of the Roman Catholic Church.

(BA T-4 on 7/17/72)

On April 24, 1972, [redacted] attended a meeting at 209 South Broadway, Baltimore, Maryland, where plans were made for a demonstration to end the war in Vietnam to be held on May 4, 1972, in the Hopkins Plaza, Baltimore, Maryland.

(u)

(BA T-3 on 4/25/72)

~~CONFIDENTIAL~~

BA 100-27808

~~CONFIDENTIAL~~

III. MISCELLANEOUS:

Confidential sources in the Baltimore area, who are in positions to have information concerning the Communist Party (CP) and/or CP front groups, New Left and Black Nationalist groups in the Baltimore area, and who have furnished reliable information in the past, were contacted during June, 1972, and they advised that they knew of no recent activity on the part of [REDACTED]

b6  
b7C

~~CONFIDENTIAL~~



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Baltimore, Maryland 21202

In Reply, Please Refer to

File No. BA 100-27808

July 26, 1972

~~CONFIDENTIAL~~

b6  
b7C

Title

[Redacted Title Box]

Character SECURITY MATTER - REVOLUTIONARY ACTIVITIES

Reference Report of SA [Redacted] dated and  
captioned as above.

All sources (except any listed below) whose identities  
are concealed in referenced communication have furnished reliable  
information in the past.

~~CONFIDENTIAL~~

~~SECRET~~

4-787 (5-27-80)

NOTICE OF

CLASSIFICATION ACTION

File #

100-460495

Serial

5626

Classified And

Extended by

SP-5 RJH/ML

Reason For Extension

FCIM, II, 1-2.4.2

Date of Review For

Declassification

7-31-2002

~~SECRET~~

FBI/DOJ

DECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE

DATE 01-14-2011

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI (100-449746) DATE: 7/26/72

FROM : SAC, PHILADELPHIA (100-50288) (P)

8081c  
SUBJECT: PHILIP FRANCIS BERRIGAN  
SM-REVOLUTIONARY ACTIVITIES (ECCSL)  
(OO: NEW-HAVEN)

*nh*  
*EASTCON*  
Re Philadelphia airtel to Acting Director, 5/18/72.

SA [ ] determined through check with Clerk of U.S. District Court, Middle District of Pennsylvania, at Harrisburg on 7/26/72, that no final determination has been made in the BERRIGAN case.

U.S. District Court Judge R. DIXON HERMAN also advised SA [ ] on 7/26/72, that no date has been set as yet for sentencing in the BERRIGAN case.

Philadelphia will continue to follow this matter and inform Bureau & New Haven as soon as results are announced.

b6  
b7c

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-17-80 BY SP-5 BSK/MLC

460495-  
NOT RECORDED  
50 AUG 4 1972

- 1-932 DB ST-102  
2-Bureau (RM)  
2-New Haven (RM)  
1- (100-20712)  
1- (100-20708)  
1-Philadelphia

JJM:pat  
(5)



5010-108-01

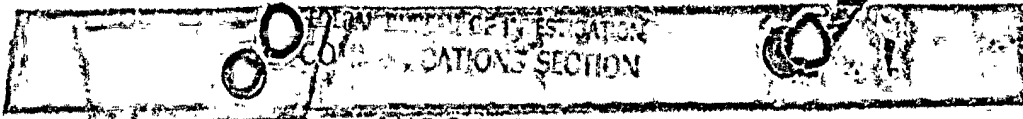
AUG 7 1972

Place in 100-460495  
EASTCON PA  
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

6 JUL 27 1972

Rev. Sec.

ORIGINAL FILED IN 100-449746-41



AUG 21 1972  
DON  
TELETYPE

Mr. Felt	_____
Mr. Bates	_____
Mr. Bishop	_____
Mr. Callahan	_____
Mr. Campbell	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller	_____
Mr. Ponder	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

NR 006 PH PLAIN

5 15 PM 8-21-72 NITEL MCA

TO ACTING DIRECTOR (ATT, DOMINTEL)  
FROM PHILADELPHIA (100-51190)

*Handwritten signatures and initials*

EASTCON

LT. CLAYMORE BURDETT, FEDERAL PROTECTIVE OFFICER, HARRISBURG  
FEDERAL BUILDING, HARRISBURG, PA., ADVISED THAT DANIEL BERRIGAN  
SPOKE INSTANT DATE ON STEPS OF FEDERAL BUILDING HARRISBURG,  
PA., IN PROTEST OF WHAT HE STATED WAS DELAYED JUSTICE ON THE  
PART OF JUDGE R. DIXON HERMAN. LT. BURDETT STATED THAT BERRIGAN  
SPOKE TO APPROXIMATELY SEVENTY FIVE PERSONS INCLUDING LOCAL  
NEWSPAPER MEN AND TELEVISION. THE MAIN THEME OF BERRIGAN'S  
TALK WAS JUSTICE DELAYED IS JUSTICE DENIED.

END

DSS FBI WA DC CLR

ST-106  
REC-51

100-460495-5627

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5  
WHL

AUG 23 1972

70 AUG 29 1972

5-729

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

DATE: 8/11/72

FROM : R. L. Shackelford

1 - Mr. T. E. Bishop  
1 - Mr. E. S. Miller  
1 - Mr. T. J. Smith

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

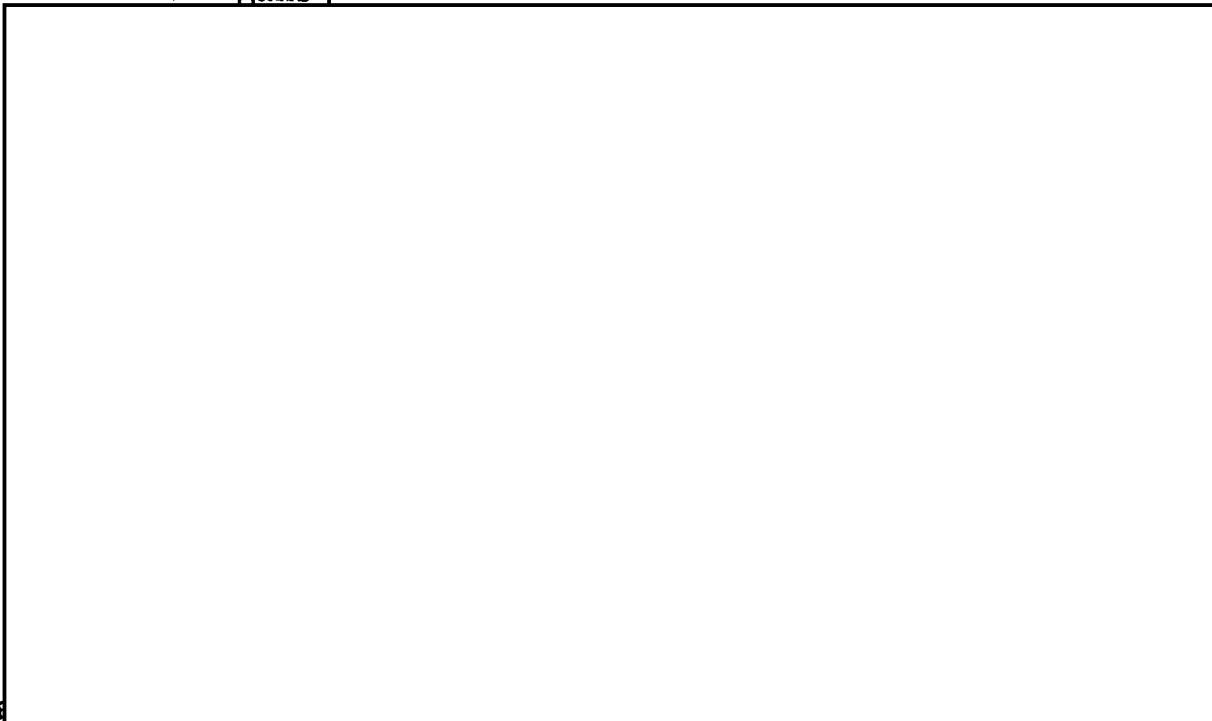
SUBJECT: JACK ANDERSON'S COLUMN IN  
"THE WASHINGTON POST"  
8/10/72 *(Eastcon)*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 MTH/KR

Felt ☒  
Bates ☐  
Bishop ☒  
Callahan ☐  
Campbell ☐  
Cleveland ☐  
Conrad ☐  
Dalbey ☐  
Jenkins ☐  
Marshall ☐  
Miller, E.S. ☒  
Ponder ☐  
Soyars ☐  
Walters ☐  
Tele. Room ☐  
Mr. Kinley ☐  
Mr. Armstrong ☐  
Mr. Gandy ☐  
Mrs. Neenan ☐

*encl*  
1  
Captioned column, which was headlined "FBI Erred on Berrigan Musical 'Plot'" contains information from an FBI memorandum dated 7/12/71 regarding plans of antiwar elements to embarrass the United States Government. Copies of Anderson's column and our memorandum are attached.

In July, 1971, we received information from [redacted] an informant [redacted] to the effect that individuals sympathetic to the Berrigans [redacted]



ENCLOSURE

Enclosures  
1 - 100-460495 (Eastcon)  
FBG:tlc  
(7) *HC*

ENCLOSURE  
53 AUG 21 1972

100-460495-  
NOT RECORDED  
CONTINUED - AUG 17 1972  
14 AUG 18 1972  
*5-5*

b2  
b6  
b7C  
b7D

ORIGINAL FILED IN 94-8-6-6



Memorandum to Mr. E. S. Miller  
Re: Jack Anderson's Column in  
"The Washington Post"  
8/10/72

b7D

Information regarding these plots was set forth in a memorandum dated 7/12/71 which was furnished to Honorable H. R. Haldeman at The White House; the Director, U. S. Secret Service; and the Attorney General, with a copy for The Deputy Attorney General.

Anderson's column of 8/10/72 dealt with The Kennedy Center plot only. An analysis of the article shows it to be a typical Anderson product with his usual distorted assembly of facts presented in such a way as to show the Government in the worst possible light. We did not "err" in furnishing this information to interested Government agencies. We merely passed on intelligence information received from an informant who had furnished reliable information in the past and was in a position to have knowledge of the plots. The article contains direct quotes from our memorandum making it apparent that Anderson has access to FBI documents from either Secret Service and/or The White House.

ACTION:

It is recommended this memorandum be forwarded to the Research Section, Domestic Intelligence Division, for inclusion in the book being maintained on leaks to Anderson.

76  
Approved *[Signature]*  
JUL 18/75  
10:09P  
DMA

- 2 -

EM

TEB

*[Signature]*

Felt \_\_\_\_\_  
 Bates \_\_\_\_\_  
 Bishop \_\_\_\_\_  
 Callahan \_\_\_\_\_  
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 Miller, E.S. \_\_\_\_\_  
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 Soyars \_\_\_\_\_  
 Walters \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Mr. Kinley \_\_\_\_\_  
 Mr. Armstrong \_\_\_\_\_  
 Mr. Herwig \_\_\_\_\_  
 Mrs. Neenan \_\_\_\_\_

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-16-80 BY SP-5

## The Washington Merry-Go-Round

THE WASHINGTON POST Thursday, Aug. 10, 1972

E7

# FBI Erred on Berrigan Musical 'Plot'

By Jack Anderson

The FBI failed to make good the late J. Edgar Hoover's startling charge that the Berrigan bunch had plotted to kidnap presidential advisor Henry Kissinger.

It now develops that the FBI turned in still another false alarm about a Berrigan "plot" to commit musical sabotage.

The G-men solemnly warned the White House that Father Dan Berrigan was conspiring with renowned conductor Leonard Bernstein to embarrass the Nixon administration. The alleged scheme was to dupe high officials, possibly even the President himself, into applauding an antiwar performance at the Kennedy Center.

The FBI warning, delivered to presidential assistant H. R. Haldeman on July 12, 1971, caused some backstage scurrying to make sure that Bernstein's production didn't contain a hidden antiwar message in Latin.

The confidential FBI message, citing a "valuable confidential source," advised that "Leonard Bernstein, noted conductor, has been commissioned by the Kennedy Center for the Performing Arts, Washington, D. C., to compose

music for the dedication of the Kennedy Center.

"Bernstein has composed a 'Mass oratorium' and reportedly visited Daniel Berrigan at the Federal Correctional Institution (FCI), Danbury, Connecticut, within the past three weeks and persuaded him to compose words for his music."

Bernstein's Mass "will follow an antiwar theme, will be in Latin and sung by a choir at the dedication ceremony," confided the FBI.

"Important government officials, perhaps even the President, are expected to attend this ceremony, and it is anticipated they will applaud the composition without recognizing the true meaning of the words.

## Embarrassing Applause

"The source advised that the newspapers would be given the story the following day that the President and other high-ranking government officials applauded an anti-government song.

"The source advised that Daniel Berrigan had not completed composing the words, which when finished will have to be smuggled out of the FCI at Danbury."

Aghast, White House aides contacted Roger Stevens, head of the Kennedy Center, and

The Washington Post \_\_\_\_\_  
 Times Herald 7 \_\_\_\_\_  
 The Washington Daily News \_\_\_\_\_  
 The Evening Star (Washington) \_\_\_\_\_  
 The Sunday Star (Washington) \_\_\_\_\_  
 Daily News (New York) \_\_\_\_\_  
 Sunday News (New York) \_\_\_\_\_  
 New York Post \_\_\_\_\_  
 The New York Times \_\_\_\_\_  
 The Daily World \_\_\_\_\_  
 The New Leader \_\_\_\_\_  
 The Wall Street Journal \_\_\_\_\_  
 The National Observer \_\_\_\_\_  
 People's World \_\_\_\_\_

Date AUGUST 10, 1972

ENCLOSURE 100-460495-

ENCLOSURE

asked whether he had heard about the bizarre Berrigan-Bernstein plot. "They didn't want to be embarrassed," Stevens told my associate Joseph Spear.

Stevens immediately got hold of Bernstein who denied the whole thing. The FBI report, he said, was "a wild rumor."

Nevertheless, to relieve White House anxiety, Nixon aide William Safire was invited to come to a rehearsal. Another presidential assistant, Leonard Garment, attended a dress rehearsal at the invitation of Bernstein himself.

Bernstein's Mass was staged in September and was received with rave reviews. It contained only one line that could be interpreted as anti-war—"Dona Nobis Pacem" or "give us peace." President Nixon, in any case, did not attend.

The FBI's suspicions probably were aroused, according to Bernstein's manager Harry Kraut, by Bernstein's known friendship with Daniel Berrigan. They had even discussed the possibility of collaborating on a future production, said Kraut.

Bernstein did, in fact, visit Daniel Berrigan at Danbury prison. "They talked about the nature of Mass," Kraut said.

But they did not conspire to trick the President or anyone else into applauding unintentionally for peace.

### Tax Relief?

Both presidential camps are furiously at work on tax proposals aimed at winning the support of the nation's ag-grieved taxpayers.

George McGovern's advisers are talking privately about using tax credits to achieve a modest redistribution of income. They would like to shift some income from the top one-third to the lower two-thirds of the population by granting individual tax credits and taking it out of the taxes of the upper brackets.

The figure McGovern has in mind is a \$1,000 tax credit for each adult and a lesser amount for each child.

President Nixon, meanwhile, is contemplating tax reforms of his own. Aides say he would like to reduce the tax burden on home owners. This would bring tax relief chiefly to the middle classes, who hold most of the votes.

He is also seeking some way to ease the financial burden on parents who send their children to private and parochial schools.

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Felt \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Cleveland \_\_\_\_\_  
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Miller, E.S. \_\_\_\_\_  
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Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_

The Washington Post \_\_\_\_\_  
Times Herald \_\_\_\_\_  
The Washington Daily News \_\_\_\_\_  
The Evening Star (Washington) \_\_\_\_\_  
The Sunday Star (Washington) \_\_\_\_\_  
Daily News (New York) \_\_\_\_\_  
Sunday News (New York) \_\_\_\_\_  
New York Post \_\_\_\_\_  
The New York Times \_\_\_\_\_  
The Daily World \_\_\_\_\_  
The New Leader \_\_\_\_\_  
The Wall Street Journal \_\_\_\_\_  
The National Observer \_\_\_\_\_  
People's World \_\_\_\_\_

Date \_\_\_\_\_

1 - Mr. W. C. Sullivan  
1 - Mr. A. Rosen  
1 - Mr. C. D. Brennan  
1 - Mr. W. R. Wannall

July 12, 1971

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith  
1 - Mr. G. H. Menzel

PROPOSED PLANS OF ANTIWAR  
ELEMENTS TO EMBARRASS THE  
UNITED STATES GOVERNMENT

The following information has been furnished by a confidential source, who has furnished reliable information in the past, who has a wide acquaintance among many leaders in the antiwar movement in the United States. Extreme caution should be utilized with respect to the information set forth below inasmuch as unauthorized disclosure thereof could result in the compromise of this sensitive and valuable confidential source.

He advised that Leonard Bernstein, noted conductor, has been commissioned by the Kennedy Center for the Performing Arts, Washington, D. C., to compose music for the dedication ceremony at the Kennedy Center.

b6  
b7C  
b7D

GHM:djr  
(14)

CONFIDENTIAL  
GROUP 1  
Excluded from automatic  
downgrading and  
declassification

SEE NOTE PAGE THREE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5761/1

ENCLOSURE

100-460495-

ENCLOSURE

3 1/4

**Proposed Plans of Antiwar  
Elements to Rebarren the  
United States Government**

The source stated that [REDACTED]

[REDACTED]

b6  
b7C  
b7D

The source stated that [REDACTED]

[REDACTED]

b7D

NOTE:

See memorandum R. L. Shackelford to Mr. C. D. Brennan,  
dated 7/8/71, captioned as above, prepared by GHM:cae.

**CONFIDENTIAL**

1 - Mr. T. E. Bishop  
1 - Mr. E. S. Miller  
1 - Mr. T. J. Smith

Mr. E. S. Miller

8/10/72

R. L. Shackelford

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

JACK ANDERSON'S COLUMN IN  
"THE WASHINGTON POST"  
8/10/72

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RBY/ML

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In July, 1971, we received information from

b2  
b7D  
b6  
b7C  
b7D

Enclosures

(1) - 100-460495 (Eastcon)

FRG:tlc

61 AUG 21 1972 ENCLOSURE

CONTINUED - OVER

100-460495-

NOT RECORDED

133 AUG 17 1972

Memorandum to Mr. E. S. Miller  
Re: Jack Anderson's Column in  
"The Washington Post"  
8/10/72

b7D

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ACTION:

It is recommended this memorandum be forwarded to the Research Section, Domestic Intelligence Division, for inclusion in the book being maintained on leaks to Anderson.

Felt \_\_\_\_\_  
 Bates \_\_\_\_\_  
 Bishop \_\_\_\_\_  
 Callahan \_\_\_\_\_  
 Campbell \_\_\_\_\_  
 Cleveland \_\_\_\_\_  
 Conrad \_\_\_\_\_  
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 Miller, E.S. \_\_\_\_\_  
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 Walters \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Mr. Kinley \_\_\_\_\_  
 Mr. Armstrong \_\_\_\_\_  
 Ms. Herwig \_\_\_\_\_  
 Mrs. Neenan \_\_\_\_\_

# The Washington Merry-Go-Round

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E7

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 HEREIN IS UNCLASSIFIED  
 DATE 7-16-80 BY SP-5  
 RJB/jen

The Washington Post Times Herald PE7  
 The Washington Daily News \_\_\_\_\_  
 The Evening Star (Washington) \_\_\_\_\_  
 The Sunday Star (Washington) \_\_\_\_\_  
 Daily News (New York) \_\_\_\_\_  
 Sunday News (New York) \_\_\_\_\_  
 New York Post \_\_\_\_\_  
 The New York Times \_\_\_\_\_  
 The Daily World \_\_\_\_\_  
 The New Leader \_\_\_\_\_  
 The Wall Street Journal \_\_\_\_\_  
 The National Observer \_\_\_\_\_  
 People's World \_\_\_\_\_

Date AUGUST 10, 1972

ENCLOSURE

100-460495-



asked whether he had heard about the bizarre Berrigan-Bernstein plot. "They didn't want to be embarrassed," Stevens told my associate Joseph Spear.

Stevens immediately got hold of Bernstein who denied the whole thing. The FBI report, he said, was "a wild rumor."

Nevertheless, to relieve White House anxiety, Nixon aide William Safire was invited to come to a rehearsal. Another presidential assistant, Leonard Garment, attended a dress rehearsal at the invitation of Bernstein himself.

Bernstein's Mass was staged in September and was received with rave reviews. It contained only one line that could be interpreted as anti-war—"Dona Nobis Pacem" or "give us peace." President Nixon, in any case, did not attend.

The FBI's suspicions probably were aroused, according to Bernstein's manager Harry Kraut, by Bernstein's known friendship with Daniel Berrigan. They had even discussed the possibility of collaborating on a future production, said Kraut.

Bernstein did, in fact, visit Daniel Berrigan at Danbury prison. "They talked about the nature of Mass," Kraut said.

But they did not conspire to trick the President or anyone else into applauding unintentionally for peace.

### Tax Relief?

Both presidential camps are furiously at work on tax proposals aimed at winning the support of the nation's aggrieved taxpayers.

George McGovern's advisers are talking privately about using tax credits to achieve a modest redistribution of income. They would like to shift some income from the top one-third to the lower two-thirds of the population by granting individual tax credits and taking it out of the taxes of the upper brackets.

The figure McGovern has in mind is a \$1,000 tax credit for each adult and a lesser amount for each child.

President Nixon, meanwhile, is contemplating tax reforms of his own. Aides say he would like to reduce the tax burden on home owners. This would bring tax relief chiefly to the middle classes, who hold most of the votes.

He is also seeking some way to ease the financial burden on parents who send their children to private and parochial schools.

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Felt \_\_\_\_\_  
 Bates \_\_\_\_\_  
 Bishop \_\_\_\_\_  
 Callahan \_\_\_\_\_  
 Campbell \_\_\_\_\_  
 Cleveland \_\_\_\_\_  
 Conrad \_\_\_\_\_  
 Dalbey \_\_\_\_\_  
 Jenkins \_\_\_\_\_  
 Marshall \_\_\_\_\_  
 Miller, E.S. \_\_\_\_\_  
 Ponder \_\_\_\_\_  
 Soyars \_\_\_\_\_  
 Walters \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Mr. Kinley \_\_\_\_\_  
 Mr. Armstrong \_\_\_\_\_  
 Ms. Herwig \_\_\_\_\_  
 Mrs. Neenan \_\_\_\_\_

The Washington Post \_\_\_\_\_  
 Times Herald \_\_\_\_\_  
 The Washington Daily News \_\_\_\_\_  
 The Evening Star (Washington) \_\_\_\_\_  
 The Sunday Star (Washington) \_\_\_\_\_  
 Daily News (New York) \_\_\_\_\_  
 Sunday News (New York) \_\_\_\_\_  
 New York Post \_\_\_\_\_  
 The New York Times \_\_\_\_\_  
 The Daily World \_\_\_\_\_  
 The New Leader \_\_\_\_\_  
 The Wall Street Journal \_\_\_\_\_  
 The National Observer \_\_\_\_\_  
 People's World \_\_\_\_\_

Date \_\_\_\_\_

UNITED STATES GOVERNMENT

# Memorandum

~~CONFIDENTIAL~~

TO : Acting Director, FBI (100-463390)

DATE: August 9, 1972

FROM : SAC, PHILADELPHIA (100-51918) (P)

*Eastcon*

SUBJECT: MARY MARGARET SCOBLOCK, aka  
SM - REVOLUTIONARY ACTIVITIES (ECCSL)

Report of SA CHARLES A. DURHAM, JR., 2/16/72, at Philadelphia.  
Philadelphia letter (FD-122) to Bureau, 8/2/72.

REFERENCE: Baltimore airtel to Bureau, 8/4/72, captioned "ANTHONY  
FRANCES SCOBLOCK; SM-REVACT (ECCSL)"

This letter is submitted in lieu of a report inasmuch as no  
pertinent data has been developed since date of referenced communi-  
cation. FD-305 enclosed.

RESIDENCE:  
EMPLOYMENT:

☒ Subject's employment ☒ residence ☒ remains the same, as unknown;  
~~XXXXX~~ however, investigation being conducted to  
verify info in re Baltimore airtel dated 8/4/72.

☐ Subject's employment ☐ residence ☐ has changed to:

APPROPRIATE AGENCIES  
AND FIELD OFFICES

ADVISED BY ROUTING

Source:

SLIP (S) OF *Class.*

DATE *7-23-80*

ACTIVITY:

The following security informants and established sources were  
contacted on the indicated dates and were unable to furnish any pertinent  
information regarding subject:

Informant

Date Contacted

8/3/72  
8/4/72  
8/7/72  
8/7/72  
8/9/72

*(u)*  
FRANCIS GATNEY

Established Source

Date Contacted

CLASS. & EXT. BY *SP-5*  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW *8-9-92*

NOT RECORDED  
98 AUG 11 1972

Enc. *117*

2- Bureau (100-463390) (MARY SCOBLOCK) (RM)

1- 100-460495 (EASTCON)

3- Philadelphia

1- 100-51918 (MARY SCOBLOCK)

1- 100-51190 (EASTCON)

1- 100-51951 (ANTHONY SCOBLOCK)

CAD: sdc

(5)

~~CONFIDENTIAL~~

ORIGINAL FILED IN 100-463390-

- FD
1. ☒ Subject's name is included in the ADEX. Category ☒ I ☐ II ☐ III ☐ IV
  2. ☒ The data appearing on the ADEX Card are current.
  3. ☐ Changes on the ADEX Card are necessary and Form 128 submitted to the Bureau.
  4. ☒ A suitable photograph ☒ is ☐ is not available.  
Date photograph was taken 1/12/71
  5. ☐ Subject is employed in a key facility and \_\_\_\_\_ is charged with security responsibility. Interested agencies are \_\_\_\_\_
  6. ☐ This report is classified \_\_\_\_\_ because (state reason).

7. ☐ Subject previously interviewed (dates) \_\_\_\_\_  
☒ Subject was not ☒ interviewed ☐ reinterviewed because (state reason) of her past involvement as an indicted defendant in the trial of the "Harrisburg 7," which ended in April 1972, at Harrisburg, Pa.

8. ☐ This case no longer meets the ADEX criteria and a letter has been directed to the Bureau recommending cancellation.
9. ☒ This case has been reevaluated in the light of the ADEX criteria and it continues to fall within the criteria of Category marked above because (state reason) of the fact the subject, by being an indicted defendant in the "Harrisburg 7" trial, has demonstrated through acts and/or statements, a propensity for violence, including interference with, or threat to, the survival and effective operation of the national government.
10. ☒ This case has been reevaluated in the light of the ADEX criteria and it should be tabbed Category ☒ I ☐ II ☐ III ☐ IV because (state reason) of the reasons shown in Item #9. above.

11. ☒ Security Flash Notice (FD-165) to Identification Division;  
☒ Submitted 4/2/71 (date) Placed ☒ Yes ☐ No
12. ☐ Subject is Extremist in Category I of ADEX and Stop Notice has been placed with the Bureau Stop Index.

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

# Memorandum

TO : Acting  
Director, FBI (100-462741)

~~CONFIDENTIAL~~ August 9, 1972

FROM : SAC, PHILADELPHIA (100-51951) (P)

SUBJECT: ANTHONY FRANCIS SCOBlick, aka  
SM - REVOLUTIONARY ACTIVITIES (ECCSL)

Report of SA CHARLES A. DURHAM, JR., 2/16/72, at Philadelphia.  
Philadelphia letter (FD-122) to Bureau, 8/2/72.  
REFERENCE: Baltimore airtel to Bureau, 8/4/72.

This letter is submitted in lieu of a report inasmuch as no  
pertinent data has been developed since date of referenced communi-  
cation. FD-305 enclosed.

RESIDENCE:  
EMPLOYMENT:

☒ Subject's employment ☒ residence ☒ remains the same, as unknown;  
~~SOURCE~~ however, investigation being conducted to  
verify info in re Baltimore airtel dated 8/4/72.  
☐ Subject's employment ☐ residence ☐ has changed to:

## Source:

### ACTIVITY:

The following security informants and established sources were  
contacted on the indicated dates and were unable to furnish any pertinent  
information regarding subject:

#### Informant

#### Date Contacted



8/3/72  
8/4/72  
8/7/72  
8/7/72  
8/9/72

FRANCIS GAFFNEY



#### Established Source

#### Date Contacted

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF  
DATE

CLASS. & EXT. BY  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW

100-460495-  
NOT RECORDED  
27 AUG 10 1972

Enc.

- 2- Bureau (RM)  
1- 100-462741 (ANTHONY SCOBlick)  
1- 100-460495 (EASTCON)  
3- Philadelphia  
1- 100-51951 (ANTHONY SCOBlick)  
1- 100-51190 (EASTCON)

1- 100-51918 (MARY SCOBlick)  
CAD:sd (5)

~~CONFIDENTIAL~~

ORIGINAL FILED IN

1. ☒ Subject's name is included in the ADEX., Category ☒ I ☐ II ☐ III ☐ IV
2. ☒ The data appearing on the ADEX Card are current.
3. ☐ Changes on the ADEX Card are necessary and Form FD-122 submitted to the Bureau.
4. ☒ A suitable photograph ☒ is ☐ is not available:  
Date photograph was taken 1/12/71
5. ☐ Subject is employed in a key facility and CONFIDENTIAL is charged with security responsibility. Interested agencies are \_\_\_\_\_
6. ☐ This report is classified \_\_\_\_\_ because (state reason)

7. ☐ Subject previously interviewed (dates) \_\_\_\_\_  
☒ Subject was not ☒ interviewed ☐ reinterviewed because (state reason) of his past involvement as an indicted defendant in the trial of the "Harrisburg 7," which ended in April 1972 at Harrisburg, Pa.
8. ☐ This case no longer meets the ADEX criteria and a letter has been directed to the Bureau recommending cancellation.
9. ☒ This case has been reevaluated in the light of the ADEX criteria and it continues to fall within the criteria of Category marked above because (state reason) of the fact the subject, by being an indicted defendant in the "Harrisburg 7" trial, has demonstrated through acts and/or statements, a propensity for violence, including interference with, or threat to, the survival and effective operation of the national government.
10. ☒ This case has been reevaluated in the light of the ADEX criteria and it should be tabbed Category ☒ I ☐ II ☐ III ☐ IV because (state reason) of the reasons shown in Item #9 above.
11. ☒ Security Flash Notice (FD-165) to Identification Division:  
☒ Submitted 4/2/71 (date) Placed ☒ Yes ☐ No
12. ☐ Subject is Extremist in Category I of ADEX and Stop Notice has been placed with the Bureau Stop Index.

~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

AUG 23 1972

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Bates	_____
Mr. Bishop	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller	_____
Mr. Ponder	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Mr. Herwig	_____
Mr. Neenan	_____

NR 001 BA CODED

1158A M 8-23-72 URGENT RRG

TO ACTING DIRECTOR

PHILADELPHIA

FROM BALTIMORE (100-27708) 1P

EASTCON.

SOURCE ADVISED THAT

ADMINISTRATIVE: SOURCE IS

AND

INFORMATION PROVIDED WAS GIVEN DIRECTLY TO HIM AND EXTREME CARE  
SHOULD BE USED IN DISSEMINATION.

WASH DC FBI CR CLR

AUG 31 1972

REC-30  
EX-111  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5  
RW/m

AUG 25 1972

5-728

b6  
b7C

b6  
b7C  
b7D  
b2  
b7D

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

FROM : R. L. Shackelford

SUBJECT: EASTCON

1 - Mr. E. S. Miller

1 - Mr. T. E. Bishop

DATE: 9/6/72

1 - Mr. R. L. Shackelford

1 - Mr. F. B. Griffith

Felt \_\_\_\_\_  
Baker \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Jenkins \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_

Sentencing in captioned matter took place on 9/5/72, in U. S. District Court, Middle District of Pennsylvania, Harrisburg, Pennsylvania, Judge R. Dixon Herman presiding.

Defendant Philip Berrigan was sentenced to two years each on counts four, six, eight, and ten (contraband violations) all to run concurrent with his present sentence.

Defendant Elizabeth McAlister was sentenced to one year and a day on count five. Counts seven and nine were suspended with probation for three years on each to run concurrent. These three counts are also contraband violations. McAlister's present bail is to continue.

United States Attorney, S. John Cottone, then filed a motion to dismiss counts one, two and three. Count one is the conspiracy count of the indictment and counts two and three charged Elizabeth McAlister and Philip Berrigan respectively with issuing a threatening communication. The jury was unable to reach a verdict on these three counts.

The above is submitted for your information.

100-460495

1 - 100-449746 (Philip Berrigan)

1 - 100-461429 (Elizabeth McAlister)

FBG:egt:tlc

(7)

ST-111

REC-53

6 SEP 8 1972  
CW1  
DAN

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 [signature]

22 SEP 7 1972

UNRECORDED COPY FILED

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

25

AUG 23 1972

TELETYPE

NR 032 NY CODE

650 PM URGENT 08-23-72 KEH

TO ACTING DIRECTOR (100-448680) (100-460495)

FROM NEW YORK (100-157107) (C) 2P

Mr. Felt  
Mr. Baker  
Mr. Bates  
Mr. Bishop  
Mr. Callahan  
Mr. Cleveland  
Mr. Conrad  
Mr. Dalbey  
Mr. Jenkins  
Mr. Marshall  
Mr. Miller  
Mr. Ponder  
Mr. Soyars  
Mr. Tavel  
Tele. Room

SM - NEW LEFT (ECCSL); 00:NY.

OTHER "Information not accessible under the FOIA"

ON INSTANT DATE,

ADVISED NYO AS FOLLOWS:

END PAGE ONE

100-460495

NOT RECORDED  
44 AUG 28 1972

4 AUG 25 1972

61 AUG 31 1972

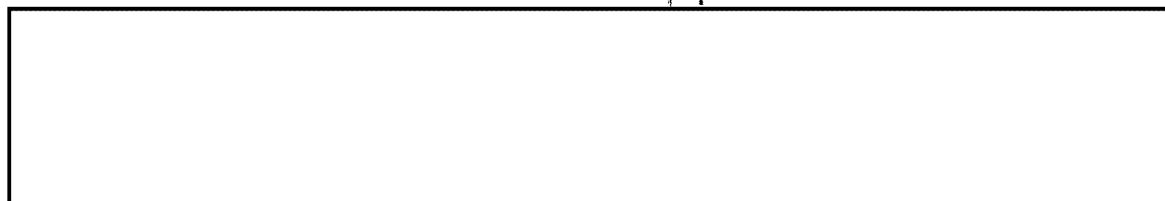
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5

ORIGINAL FILED BY 100-448680-86



PAGE TWO

OTHER "Information not accessible under the FOIA"



ADMINISTRATIVE-----

ABOVE SUBMITTED FOR INFORMATION ONLY. NO ACTION  
'PRESENTLY WARRANTED BY NYO AND CASE IS BEING RETURNED TO CLOSED  
STATUS.

MAIL COPY TO PHILADELPHIA.

E N D

DSS FBI WA DC. CLR

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

AUG 29 1972

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Bates	_____
Mr. Bishop	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Pender	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____

b6  
b7C

NR006 PH CODE

9:51 AM URGENT 8-29-72 SDB

TO ACTING DIRECTOR (100-460495)

(ATTN: DOMINTEL)

FROM PHILADELPHIA (100-51190)

EASTCON

*Shackelford*  
*pen*  
*Diffin*

THE EVENING NEWS, HARRISBURG, PA., NEWSPAPER DATED MONDAY,  
AUGUST TWENTY EIGHT LAST REVEALS JUDGE R. DIXON HERMAN FILED OPINIONS  
ON OUTSTANDING MOTIONS CAPTIONED CASE AND RULED IN FAVOR OF  
GOVERNMENT.

*st.*

DEPARTMENTAL ATTORNEY PHILIP KRAJEWSKI ADVISED SENTENCING SET  
FOR TUESDAY, SEPTEMBER FIVE NEXT, TWO THIRTY P.M., HARRISBURG,  
PA., BEFORE JUDGE HERMAN.

END

SI-111

GWS WASH DC FBI CLR

REC-21 100-460495-5630

20 SEP 6 1972

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

54 SEP 11 1972

DATE 7-16-80 BY SP-5 RYH/AN

*5-72*

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

SEP 5 1972

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Bates	_____
Mr. Bishop	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.	_____
Mr. Ponder	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____

NR 008 PH PLAIN

4 40 PM 9-5-72 URGENT MCA

TO ACTING DIRECTOR (100-460495) ( ATT. DOMINTEL)  
FROM PHILADELPHIA (100-51190)

EASTCON

*Shadduck*  
*10/1/72*  
*10/1/72*

ON INSTANT DATE JUDGE R. DIXON HERMAN, MIDDLE DISTRICT OF  
PA., HARRISBURGH, PA., SENTENCED PHILIP BERRIGAN UNDER THE  
FOLLOWING COUNTS: COUNT FOUR, TWO YEAR, COUNT SIX, TWO  
YEARS, COURT EIGHT TWO YEARS, COUNT TEN, TWO YEARS, ALL TO  
RUN CONCURRENT WITH PRESENT SENTENCE. PROBATION AND PAROLE  
UNDER TITLE EIGHTEEN, USC, SECTION FOUR TWO ZERO EIGHT (A), II.

ELIZABETH MC ALISTER WAS SENTENCED AS FOLLOWS: COUNT  
FIVE ONE YEAR AND ONE DAY, COUNT SEVEN SUSPENDED WITH PROBATION  
OF THREE YEARS, COUNT NINE SUSPENDED PROBATION FOR THREE YEARS.

ALL SENTENCES TO RUN CONCURRENT WITH PAROLE UNDER TITLE  
EIGHTEEN, USC, SECTION FOUR TWO ZERO EIGHT (A), II. PRESENT  
BAIL TO CONTINUE.

S. JOHN COTTONE, USA, MDPA, FILED MOTION TO DISMISS  
COUNT ONE, TWO, AND THREE.

E N D

DKS FBI WASHDC CLR

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 N. J. H. / 11/92

5-7-76

# PAROLE REPORT

## FEDERAL BUREAU OF INVESTIGATION

Reporting Office <b>PHILADELPHIA</b>	Office of Origin <b>NEW HAVEN</b>	Date <b>9/7/72</b>
Name of Convict with Aliases:  <b>REVEREND PHILIP FRANCIS BERRIGAN</b>	Report Made By <b>SA CHARLES A. DURHAM, JR.</b>	Typed By <b>rel</b>
	Violation:  <b>INTRODUCTION OF CONTRABAND</b>	

Outline of Offense: **PHILIP FRANCIS BERRIGAN** was a defendant, along with others, in a trial which began in January, 1972, and ended in April, 1972, at Harrisburg, Pa., in regard to charges of plotting to destroy the electrical network servicing government buildings in Washington, D.C., sometime in February, 1971; a plot to kidnap **HENRY A. KISSINGER**, a high-ranking U.S. government official, sometime in February, 1971, plus Selective Service System destruction acts. Introduction of contraband was also included in the charges against **BERRIGAN**.

Date and place of indictment: **4/30/71, Harrisburg, Pa., MDPA**  
or information filed:

Title 18, USC, Section 1791 and 2 (Count IV)  
Code and section under which charged: **Title 18, USC, Section 1791 (Counts VI, VIII, X)**

Section under which sentenced: **Section 1791**

Date and nature of plea: **5/25/71, no plea; judge entered "not guilty" plea for BERRIGAN, same date.**

Date and place of conviction: **4/2/72, Harrisburg, Pa. (Count IV)**  
**4/5/72, Harrisburg, Pa. (Count VI, VIII, X).**

Date and duration of sentence: **9/5/72, Harrisburg, Pa., Count IV (Section 1791)(2 years) (Section 2)**

Fines: **None.**

**Count VI (2 years)**  
**Count VIII (2 years)**  
**Count X (2 years)**

Aggravating or Mitigating circumstances:

**There are no known mitigating circumstances.**

**All above concurrent with BERRIGAN's present sentence.**

**ALL INFORMATION CONTAINED**

**HEREIN IS UNCLASSIFIED**

**DATE 7-16-80 BY SP-5 BTJ/MA**

Approved: <i>Ted L. Henderson</i> acting Special Agent in Charge	Do Not Write in Spaces Below			
Copies Made: 3 - Bureau (RM) Dissemination at SOG 2 - Bureau of Prisons Date Fwd.: By:				

100-460495-5631

**ENCLOSURE**

# PAROLE REPORT

## FEDERAL BUREAU OF INVESTIGATION

Reporting Office <b>PHILADELPHIA</b>	Office of Origin <b>NEW YORK</b>	Date <b>9/7/72</b>
Name of Convict with Aliases:  <b>SISTER ELIZABETH ANN MC ALISTER</b>	Report Made By <b>SA CHARLES A. DURHAM, JR.</b>	Typed By <b>rel</b>
	Violation:  <b>INTRODUCTION OF CONTRABAND</b>	

Outline of Offense: **ELIZABETH ANN MC ALISTER** was a defendant, along with others, in a trial which began in January, 1972, and ended in April, 1972, at Harrisburg, Pa., in regard to charges of plotting to destroy the electrical network servicing government buildings in Washington, D.C., sometime in February, 1971; a plot to kidnap **HENRY A. KISSINGER**, a high-ranking U.S. government official, sometime in February, 1971, plus Selective Service System destruction acts. Introduction of Contraband was also included in the charges against **MC ALISTER**.

Date and place of indictment: **4/30/71, Harrisburg, Pa., MDPA**  
or information filed:

Code and section under which charged: **Title 18, USC, Section 1791 (Counts V, VII and IX)**

Section under which sentenced: **Section 1791**

Date and nature of plea: **5/25/71, no plea; judge entered "not guilty" plea this same date for MC ALISTER.**

Date and place of conviction: **4/5/72, Harrisburg, Pa. (Counts V, VII, IX)**

Date and duration of sentence: **9/5/72, Harrisburg, Pa., Count V (one year and one day)  
Count VII (suspended sentence with probation of three years)  
Count IX (suspended sentence with probation of three years).**

Fines: **None.**

Aggravating or Mitigating circumstances:

**There are no known mitigating circumstances.**

Approved: <i>[Signature]</i> Special Agent in Charge	Do Not Write in Spaces Below			
Copies Made: 3 - Bureau (RM) Dissemination at SOG 2 - Bureau of Prisons Date Fwd.: By:				

**ENCLOSURE**

100-460495-5631

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>PHILADELPHIA</b>	OFFICE OF ORIGIN <b>PHILADELPHIA</b>	DATE <b>9/7/72</b>	INVESTIGATIVE PERIOD <b>9/5-6/72</b>
TITLE OF CASE <b>EAST COAST CONSPIRACY TO SAVE LIVES (ECCSL)</b>		REPORT MADE BY <b>CHARLES A. DURHAM, JR.</b>	TYPED BY <b>rel</b>
		CHARACTER OF CASE <b>IS - REVOLUTIONARY ACTIVITIES; DGP; KIDNAPPING; SABOTAGE - CONSPIRACY</b>	

## REFERENCES

Philadelphia reports of SA CHARLES A. DURHAM, JR., dated  
 10/9/70, 10/21/70, 11/13/70, 12/2/70, 12/14/70, 12/18/70,  
 1/4/71, 1/11/71, 1/14/71, 1/29/71, 2/19/71, 3/10/71,  
 3/23/71, 3/31/71, 4/14/71, 4/19/71, 4/29/71, 5/13/71,  
 5/28/71, 6/14/71, 6/28/71, 7/15/71, 8/12/71, 8/31/71,  
 9/23/71, 10/28/71, 11/18/71, 12/15/71, 1/7/72, 1/27/72,  
 2/16/72, and 4/11/72.

- P -

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-16-80 BY SP-5 HJB/mn

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

SPECIAL AGENT  
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

10 - Bureau (100-460495) (Enc.-8) (RM)  
 1 - USA, MDP

ENCLOSURE

(COPIES CONTINUED COVER PAGE B)

Dissemination Record of Attached Report				Notations
Agency	2cc RAD (SD) 6 destroyed			
Request Recd.				
Date Fwd.	9/29/72			
How Fwd.	R/S			
By	#321/Rea			

54 NOV 20 1972 COVER PAGE

PH 100-51190

(COPIES CONTINUED)

1- Albany (100-21655)(Info)(RM)  
1- Alexandria (100-527)(Info)(RM)  
1- Baltimore (100-27708)(Info)(RM)  
1- Boston (100-41615)(Info)(RM)  
1- Buffalo (100-20820)(Info)(RM)  
1- Chicago (100-45623)(Info)(RM)  
1- Cincinnati (100-19009)(Info)(RM)  
1- Cleveland (100-30822)(Info)(RM)  
1- Newark (100-52605)(Info)(RM)  
2- New Haven (Info)(RM)  
    1- 100-20708 (EASTCON)  
    1- 100-20712 (P. BERRIGAN)  
2- New York (Info)(RM)  
    1- 100-168839 (EASTCON)  
    1- 100-169927 (MC ALISTER)  
1- Pittsburgh (100-16840)(Info)(RM)  
1- Richmond (100-11335)(Info)(RM)  
1- WFO (100-52299)(Info)(RM)  
11- Philadelphia  
    3- 100-51190 (EASTCON)  
    1- 100-51915 (AHMAD)  
    1- 100-51919 (MC ALISTER)  
    1- 100-51953 (MC LAUGHLIN)  
    1- 100-50288 (P. BERRIGAN)  
    1- 100-51951 (A. SCOBlick)  
    1- 100-51918 (M. SCOBlick)  
    1- 100-51425 (WENDEROTH)  
    1- 100-51305 (GLICK)

---

ENCLOSURES

TO BUREAU: Three copies each of parole reports for  
PHILIP BERRIGAN and ELIZABETH MC ALISTER, plus one  
R-84 (Disposition Sheet) for each.

B  
COVER PAGE

PH 100-51190

LEADS

ALBANY, ALEXANDRIA, BALTIMORE, BOSTON, BUFFALO, CHICAGO,  
CINCINNATI, CLEVELAND, NEWARK, NEW HAVEN, NEW YORK,  
PITTSBURGH, RICHMOND, WFO - (INFORMATION)

---

An information copy of this report is being furnished each office which has regularly received past reports in this case.

PHILADELPHIA:

AT PHILADELPHIA, PA.

Will follow any appeals forthcoming in this case.

ADMINISTRATIVE DATA

Ten copies of this report are being furnished to the Bureau, since this number of all previous reports has been submitted.

A copy of this report is being furnished the USA, MDPA, since the trial took place at Harrisburg, Pa., in this same judicial district.

An information copy of this report has been placed in the Philadelphia file of each of the defendants in this case, so that final judicial action in regard to the overall aspects of this case is duly recorded in their respective case files.

Any recipient who deems it advisable is requested to Xerox a copy (or copies) of this report for any defendant's individual case file within your office. An extra copy has been included for New York and New Haven who are office of origin in the MC ALISTER and P. BERRIGAN cases respectively.

C\*  
COVER PAGE



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

## Copy to:

1- USA, MDPA

## Report of:

CHARLES A. DURHAM, JR.

Office: PHILADELPHIA, PENNSYLVANIA

## Date:

September 7, 1972

## Field Office File #:

100-51190

Bureau File #: 100-460495

## Title:

EAST COAST CONSPIRACY TO  
SAVE LIVES (ECCSL)

## Character:

INTERNAL SECURITY - REVOLUTIONARY ACTIVITIES;  
DESTRUCTION OF GOVERNMENT PROPERTY; KIDNAPPING;  
SABOTAGE - CONSPIRACY

## Synopsis:

On 9/5/72, PHILIP BERRIGAN was sentenced in USDC, MDPA, to two years each on Counts IV, VI, VIII, and X of a 10-count indictment with all sentences to run concurrently with the sentence he is presently serving. On 9/5/72, ELIZABETH MC ALISTER was sentenced in USDC, MDPA, to one year and one day on Count V, was given a suspended sentence with three years' probation each on Counts VII and IX of this same 10-count indictment, with all sentences to run concurrently. BERRIGAN and MC ALISTER eligible for probation/parole under Title 18, USC, Section 4208 (A), II. Present bail to continue in regard to MC ALISTER. S. JOHN COTTONE, USA, MDPA, filed motion to dismiss Counts I, II and III of this 10-count indictment.

- P -

At Harrisburg, Pa.

## DETAILS:

On September 5, 1972, Father PHILIP BERRIGAN and Sister ELIZABETH MC ALISTER appeared in U.S. District Court, Middle District of Pennsylvania, before Honorable R. DIXON HERMAN for sentencing under criminal 10-count indictment #14950.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 JH/m

PH 100-51190

Judge HERMAN sentenced Father BERRIGAN to two years each on Counts IV, VI, VIII and X of this indictment, with all sentences to run concurrently with the sentence he is presently serving. Judge HERMAN ruled BERRIGAN would be eligible for probation/parole under Title 18, U.S. Code, Section 4208 (A), II.

Judge HERMAN sentenced Sister MC ALISTER to one year and one day on Count V of this indictment, and she was given a suspended sentence with three years' probation each on Counts VII and IX of this same indictment, with all to run concurrently. Judge HERMAN ordered MC ALISTER's present bail to be continued, and ruled she would be eligible for probation/parole under Title 18, U.S. Code, Section 4208 (A), II.

On September 5, 1972, S. JOHN COTTONE, U.S. Attorney, Middle District of Pennsylvania, filed a motion to dismiss Counts I, II and III of this 10-count indictment.

F B I

Date: 8/25/72

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL REGISTERED MAIL  
(Priority)

TO: ACTING DIRECTOR, FBI (100-460495) (ATT. DOMINTEL)

FROM: SAC, PHILADELPHIA (100-51190)

EASTCON

Enclosed for each recipient is one copy of a self-explanatory letter from DANIEL BERRIGAN to Judge R. DIXON HERMAN.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 [signature]

ENCLOSURE

- 2 - Bureau (Enc. 1) (RM)
- 2 - New Haven (Enc. 1) (100-20708) (RM)
- 2 - New York (Enc. 1) (100-168839) (RM)
- 1 - Philadelphia (SUB)

CAD:VFH  
(7)

EX-105

REC-65

100-460495-5632

1 AUG 26 1972

Rev. Sect.

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

Aug 15 1972

560 Riverside Drive Apt. 4 M  
New York, N.Y.  
August 12, 1972

The Hon. R. Dixon Herman  
US District Court  
Federal Building  
Harrisburg, Pa.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 PGB/MLC

Dear Judge Herman,

I am distressed to note your failure to acknowledge my letter concerning disposition of the Harrisburg case, as it touches on the continuing imprisonment of my brother Philip.

I note also that you have chosen not to respond to a hand delivered letter of our attorney, Mr. Terry Lenzner, dated August 1, on the same matter.

Evidently there are pressures (unknown to us) which are making it extremely difficult for you, Judge Herman, to vindicate the constitutional rights of my brother, to a speedy trial.

Since Philip is my brother, it would seem to me contrary to the spirit of non violence, were I to allow the continued violence of imprisonment to proceed, without my serious intervention.

Since you also are my brother, it would seem contrary to the same spirit, were I to allow unknown pressures to immobilize you in the proper exercise of your office.

I hope what follows will be construed as written in this fraternal spirit.

I hereby request you to respond to this letter, indicating that you are moving promptly toward the disposition of motions and sentencing of Philip in the Harrisburg case.

If you do not choose so to respond, I shall arrive on Monday, August 21, in Harrisburg, to begin a fast on the steps of the Federal building. My fast and vigil will continue until such time as you move on the above matters.

The public media will be informed of these developments, and copies of my letters and that of Mr. Lenzner will be available to press and television.

I hope that you will not construe this letter as an unwarranted intrusion. I seek simple justice for my brother. I seek his liberation, yours, and my own.

Sincerely,

*Daniel Berrigan, S.J.*  
(Rev.) Daniel Berrigan, S.J.

100-460495-5632  
ENCLOSURE

## Berrigan and a Nun Get Prison Terms In Letter Smuggling

By JOHN KIFNER

Special to The New York Times

HARRISBURG, Pa., Sept. 5—The Rev. Philip F. Berrigan—cleared of charges that he led a plot to kidnap President Nixon's adviser on national security affairs, Henry A. Kissinger—was sentenced in Federal District Court here today to four concurrent two-year terms for smuggling letters out of the Lewisburg Penitentiary.

Sister Elizabeth McAlister, also cleared of the plot charges, was sentenced to one year in jail and three years' probation for smuggling letters.

Moments after the sentences were announced, Government attorneys moved to dismiss the first three substantive counts of their indictment, confirming that the Justice Department would not seek a retrial of the controversial "Harrisburg Seven" case.

Judge R. Dixon Herman of Federal District Court made Father Berrigan's two-year sentences run concurrently with the six-year sentence he is serving for destroying draft board files in Catonsville, Md., so that, apparently, the 49-year-old priest may not have to serve any additional time in prison.

Father Berrigan has served three years of his sentence and is eligible for parole, but his hearing has been held up pending the resolution of this case. The effect of the new sentence on his application is not yet known.

The 11-week trial of the "Harrisburg Seven" ended last April 5, with the jury deadlocked on the Government's major charges of a conspiracy to kidnap Mr. Kissinger, blow up heating tunnels in Washington and sack draft board offices.

Reporters later established that the jury was deadlocked at a 10-to-2 vote for acquittal on the conspiracy charges.

### Carried by Informer

But Father Berrigan and Sister Elizabeth were convicted on the lesser charges of smuggling letters into and out of the Lewisburg prison. All of the illicit correspondence was carried in and out of the penitentiary by Boyd F. Douglas, one of Father Berrigan's fellow convicts who was a Government informer and the chief witness in the case.

A grand jury here directed by Guy Goodwin, the Justice Department official specializing in radical cases, brought indictments in January, 1971, after J. Edgar Hoover, the late director of the Federal Bureau of Investigation, had told a Congressional committee's budget hearing that Father Berrigan and his brother, the Rev. Daniel Berrigan, were leading a group planning to kidnap a high Government official.

### New Indictment Issued

But, on April 30, 1971, after William S. Lynch was brought in from the Criminal Division of the Justice Department to take over the case, a new, superseding indictment was issued.

The drastically redrawn indictment appeared to make conviction far easier. It lumped the bombing and kidnapping plots together with plans and exhortations to vandalize draft boards—a favorite tactic of the Berrigans and other Catholic radicals—into one all-purpose conspiracy.

Then, rather than a detailed specific plan to kidnap Mr. Kissinger as first alleged, a crime carrying a life sentence, there were two counts of "threatening through the mail," each carrying a maximum five-year penalty.

But the case was still totally dependent on the testimony of Douglas, a thrice-convicted check forger who had achieved some unusual privileges for a prisoner: daytime releases to study at nearby Bucknell University, a new car, an apartment and a widening circle of radical acquaintances.

Testimony indicated that Douglas was the moving figure in setting up a number of meetings, as well as serving as Father Berrigan's courier.

Felt \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Jenkins \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-84 BY SP-5 RBJ/11/12

The Washington Post  
Times Herald \_\_\_\_\_  
The Washington Daily News \_\_\_\_\_  
The Evening Star (Washington) \_\_\_\_\_  
The Sunday Star (Washington) \_\_\_\_\_  
Daily News (New York) \_\_\_\_\_  
Sunday News (New York) \_\_\_\_\_  
New York Post \_\_\_\_\_  
The New York Times p. 1  
The Daily World \_\_\_\_\_  
The New Leader \_\_\_\_\_  
The Wall Street Journal \_\_\_\_\_  
The National Observer \_\_\_\_\_  
People's World \_\_\_\_\_

ST-117

REC 18

Date

100-460495-A

NOT RECORDED

172 SEP 19 1972

57 SEP 20 1972

## Berrigan Gets 2-Year Term, McAlister 1

By Sanford J. Ungar  
Washington Post Staff Writer

HARRISBURG, Pa., Sept. 5

The Rev. Phillip Berrigan was sentenced to two years in prison today for smuggling four contraband letters out of the Lewisburg, Pa., federal penitentiary while he was an inmate there in 1970.

The sentence is to run concurrently with another that he is already serving.

His co-defendant, Sister Elizabeth McAlister, was sentenced to one year and a day for smuggling three letters in to Father Berrigan.

Immediately after U.S. District Court Judge R. Dixon Herman handed down the sentences, the Justice Department dismissed all pending conspiracy charges against Father Berrigan, Sister McAlister and six other antiwar activists.

After 60 hours of deliberation here last April a federal court jury convicted the two key defendants of seven charges of smuggling contraband in and out of prison, but reported that it was hopelessly deadlocked on charges that the eight had conspired to kidnap presidential adviser Henry A. Kissinger, to bomb utility tunnels under federal buildings in Washington to raid federal offices.

Defense attorneys took immediate steps today to appeal the letter-smuggling convictions, which they contend resulted from illegal discriminatory prosecution and entrapment by a prisoner who was a government informer.

They expressed confidence that the Third U.S. Circuit Court of Appeals would strike down the convictions, because the law against prison contraband has never before been used to prosecute prisoners

## Berrigan Receives 2-Year Sentence

BERRIGAN, From A1

exclusively for sending and receiving letters.

By the time the jury returned its verdict here last spring, the Federal Bureau of Prisons had revised its regulations to permit the uninhibited flow of mail between inmates and outsiders regardless of whether they are on an approved list of correspondents.

The sentences meted out by Judge Herman represented only a fraction of the maximum penalty possible for each defendant — 40 years for Father Berrigan and 30 years for Sister McAlister.

Herman actually gave Father Berrigan a two-year sentence on each of the four counts on which he was convicted, but directed that they run concurrently.

In addition, the judge said the priest's sentence in the Harrisburg case would run concurrently with the three years he has left to serve on his conviction for a 1968 draft board raid in Catonsville, Md. He is also serving time for a conviction involving the pouring of blood on draft files in Baltimore in 1967.

Under the terms of Herman's order, if Father Berrigan is granted parole on the earlier charges—which he has thus far been denied—he could also be released immediately on his Harrisburg conviction.

Sister McAlister was given a one-year-and-a-day prison term on each of the three counts on which she was convicted here, but the judge said her terms would also run concurrently.

Because her sentence exceeded a year she will be eligible for parole at any time after entering prison.

After the sentencing procedure, which took about 90 minutes, Father Berrigan was released from the federal penitentiary in Danbury, Conn., by

federal agents. Judge Herman permitted Sister McAlister to remain free on \$10,000 bond.

In a press conference this afternoon, Sister McAlister, the other Harrisburg defendants and their lawyers denounced what they called "a vengeful sentence."

Father Berrigan's brother Daniel, who was paroled last February from his sentence arising out of the Catonsville draft board raid, said that "any right-thinking and decent person" would now realize that in the Harrisburg case, "there should have been no sentence; there should have been no trial; there should have been no indictment... there should be no war."

The sentencing came after Herman's denial on August 25 of a long-pending defense motion to set aside the convictions for smuggling the letters in and out of the Lewisburg penitentiary.

In a 41-page opinion, the judge rejected the defense contention that Father Phillip Berrigan and Sister McAlister were the victims of "impermissible discrimination" and that the case against them was tainted by government wiretapping.

After declining to put on any defense of their own last spring—relying instead on efforts to discredit the testimony of the informer—Father Berrigan and Sister McAlister made their first statement in the Harrisburg courtroom during today's sentencing.

But rather than dealing with the merits of the case, they delivered impassioned speeches about the war in Southeast Asia and the state of American society.

Father Berrigan, talking for almost 15 minutes, quoted from Soviet author Aleksandr Solzhenitsyn, Jesus Christ and Mahatma Gandhi.

Felt \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Campbell \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Jenkins \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_

EASTON

Shelton  
S. J. King

The Washington Post Times Herald \_\_\_\_\_  
The Washington Daily News \_\_\_\_\_  
The Evening Star (Washington) \_\_\_\_\_  
The Sunday Star (Washington) \_\_\_\_\_  
Daily News (New York) \_\_\_\_\_  
Sunday News (New York) \_\_\_\_\_  
New York Post \_\_\_\_\_  
The New York Times \_\_\_\_\_  
The Daily World \_\_\_\_\_  
The New Leader \_\_\_\_\_  
The Wall Street Journal \_\_\_\_\_  
The National Observer \_\_\_\_\_  
People's World \_\_\_\_\_

Date \_\_\_\_\_

REC 76 100-460495-A-

100-447746

NOT RECORDED

172 SEP 19 1972

105-7m

SEP 25 1972

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>BOSTON</b>	OFFICE OF ORIGIN <b>BOSTON</b>	DATE <b>9/6/72</b>	INVESTIGATIVE PERIOD <b>12/29/71 - 9/1/72</b>
TITLE OF CASE <b>JOAN MARIE DONATO, aka</b>		REPORT MADE BY <b>[REDACTED]</b>	TYPE OF <b>mk</b>
		CHARACTER OF CASE <b>SM - RA (VB)</b>	APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF DATE <b>7-23-80</b>

REFERENCE: Boston report of SA **[REDACTED]** 9/9/71; 7-16-80  
 Boston letter to the Bureau, 1/17/72 and 5/8/72.

-P\*-

LEADSBOSTONAT BOSTON, MASS.

Will place this case in a pending inactive status for 90 days, and thereupon submit appropriate communications furnishing residence, employment and activities of subject.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE:		100-460495-
6 - Bureau (RM) (5 - 100-463110) (1 - 100-460495) (EASTCON) 1 - Secret Service, Cambridge (RM) 2 - Boston (100-41868)		NOT RECORDED
		162 SEP 12 1972

Dissemination Record of Attached Report					Notations
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By	57 SEP 20 1972				CONFIDENTIAL

BS 100-41868

ADMINISTRATIVE:

~~CONFIDENTIAL~~

Credit and arrest checks were conducted on 8/25/72 by SC [redacted] Registry of Motor Vehicle check was conducted on 8/25/72 by SC [redacted].

b6  
b7C

Pretext telephone call on 9/1/72 to 24 Kenmore Street, Dorchester, Mass., was conducted by SA [redacted] in the guise of jury duty selection.

The following sources familiar with revolutionary activities were contacted during August and could furnish no information re subject and/or her activities: (X)

DATE:

SOURCE:

CONTACTING AGENT:

8/7/72  
8/22/72  
8/22/72  
8/24/72  
8/29/72  
8/30/72  
8/31/72

[redacted]

SA  
SA  
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[redacted]

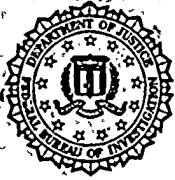
b2  
b6  
b7C  
b7D

-B\*-

COVER PAGE

~~CONFIDENTIAL~~





UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

WASHINGTON, D.C. 20535

September 6, 1972

Director  
United States Secret Service  
Department of the Treasury  
Washington, D. C. 20220

RE:

b6  
b7C

Dear Sir:

The information furnished herewith concerns an individual or organization believed to be covered by the agreement between the FBI and Secret Service concerning protective responsibilities, and to fall within the category or categories checked.

1. ☐ Threats or actions against persons protected by Secret Service.
2. ☐ Attempts or threats to redress grievances.
3. ☐ Threatening or abusive statement about U. S. or foreign official.
4. ☐ Participation in civil disturbances, anti-U. S. demonstrations or hostile incidents against foreign diplomatic establishments.
5. ☐ Illegal bombing, bomb-making or other terrorist activity.
6. ☐ Defector from U. S. or indicates desire to defect.
7. ☒ Potentially dangerous because of background, emotional instability or activity in groups engaged in activities inimical to U. S.

Photograph ☒ has been furnished ☐ enclosed ☐ is not available.

Very truly yours,

L. Patrick Gray, III  
Acting Director

1 - Special Agent in Charge (Enclosure(s))  
U. S. Secret Service, Cambridge, Massachusetts (RM)

Enclosure(s)

(Upon removal of classified enclosures, if any, this transmittal form becomes UNCLASSIFIED.)

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATIONb6  
b7c

Copy to: 1 - Secret Service, Cambridge, Massachusetts

Report of: [REDACTED]

Office: Boston, Massachusetts

Date: 9/6/72

Field Office File #: 100-41868

Bureau File #: 100-463110

Title: [REDACTED] aka

Character: SECURITY MATTER -- REVOLUTIONARY ACTIVITIES

Synopsis: Subject currently resides [REDACTED] and is employed by New England Free Press, 791 Tremont St., Boston. No new revolutionary activities on the part of the subject noted.

-P\*-

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RBA/192

## Details:

A. Residence:

On September 1, 1972, through pretext telephone call to [REDACTED] number [REDACTED], by personnel of the Federal Bureau of Investigation (FBI), it was determined through an unidentified male that subject currently resides there.

B. Employment:

On September 1, 1972, a pretext telephone call by personnel of the FBI to [REDACTED] [REDACTED], revealed through an unidentified male that subject was currently employed from 12:00 Noon to 6:00 PM by the New England Free Press, 791 Tremont Street, Boston.

BS 100-41868

New England Free Press, Inc., 791 Tremont Street, Boston, has been engaged in the publishing of printed matter for anti-war and New Left groups in Boston area since 1968.

C. Arrest:

On August 23, 1972, the files of the Office of the Massachusetts Commissioner of Probation, Suffolk County Courthouse, Boston, a central repository for all traffic and criminal conviction records for the Commonwealth of Massachusetts, were searched with negative results re subject.

D. Credit:

On August 24, 1972, the files of the Credit Bureau of Greater Boston, 6 St. James Avenue, Boston, were checked with negative results re subject.

E. Motor Vehicle:

On August 29, 1972, the files of the Massachusetts Registry of Motor Vehicles, 100 Nashua Street, Boston, were checked with negative results re subject.

F. Activities:

With the exception of subject's current employment with the New England Free Press, there has been no new revolutionary activity noted on subject's part to date.

Sources familiar with revolutionary activities in the Boston area were contacted, and they could provide no information regarding subject and/or her activities.

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATIONIn Reply, Please Refer to  
File No.

Boston, Massachusetts

September 6, 1972

b6  
b7c

Title

aka

Character SECURITY MATTER - REVOLUTIONARY  
ACTIVITIES

Reference

Boston report of SA   
9/6/72.

All sources (except any listed below) whose identities are concealed in referenced communication have furnished reliable information in the past.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

AUG 20 1972

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Bates	_____
Mr. Bishop	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Ponder	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

NR005 PH CODE

2:38 PM 8-25-72 URGENT DGE

TO ACTING DIRECTOR (100-460495) (ATT: DOMINTEL)

NEW HAVEN (100-20703)

NEW YORK (100-168839)

FROM PHILADELPHIA (100-51190)

EASTCON

LT. CLAYMORE BURDETT, HEAD, FEDERAL PROTECTIVE OFFICES,

HARRISBURG, PA., FEDERAL BUILDING, TODAY ADVISED

[REDACTED] LEFT HARRISBURG, PA., TO DULY REPORT TO HIS PAROLE

OFFICER IN NEW YORK CITY THIS DATE.

END

JTGNFBI ASH DC

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5  
NJA/lur

REC-18 100-460495 5633

ST-103

5 SEP 19 1972

70 SEP 22 1972

5-72

## Domestic Intelligence Division

## INFORMATIVE NOTE

Date 9/7/72

Attached refers to previous extensive recommendations submitted by Philadelphia Office after Eastcon trial called for recognition of efforts of various field personnel during this investigation. At that time no action taken due to pending defense motions which could have affected outcome of trial and uncertainty as to retrial. Philadelphia was advised. Following sentencing of two defendants on 9/5/72 and dismissal of three counts of indictment concerning which jury reached no verdict, Philadelphia recommended reconsideration for recognition previously requested.

This matter carefully and thoroughly reviewed as to results and overall effort. Domestic Intelligence Division feels result at Harrisburg trial limited when considered with overall effort and does not warrant recognition of either field or FBIHQ personnel, even though chief prosecutor of this case completely satisfied as to thoroughness of investigation and quality of evidence and testimony developed.

With your approval, Philadelphia's recommendations will not be granted and appropriate communication prepared.

FBG:mcm

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-16-80 BY SP-5 RSL/ylc

\*Airtel

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

9/21/72

To: SAC, Philadelphia (67-367)

EX-104

PERSONAL ATTENTION

From: Acting Director, FBI (100-460495) - 5634

EASTCON

Reurtel dated 9/6/72, captioned "Eastcon (Recommended Recognition)."

The request for recognition recommended in referenced teletype has been thoroughly reviewed and no action is being taken.

FBG:tlc  
(5)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-88 BY SP-5 BJB/kn

NOTE:

In April, 1972, after the conclusion of the Eastcon trial, Philadelphia recommended a general letter of commendation to the office, several individual letters of commendation and three incentive awards for personnel who worked on the Eastcon case. At that time, because the case was still in litigation and conceivably could have been retried, no action was taken. Following the sentencing of two defendants on 9/5/72 and the dismissal of the three primary counts in the indictment concerning which the jury reached no verdict, Philadelphia recommended reconsideration for recognition previously requested. Domestic Intelligence Division feels that the effort put forth by the Philadelphia Office in this matter was not in excess sufficiently above that of other field offices. In fact, supervision of this case was actually conducted by FBIHQ. It is felt that the result of the Harrisburg trial was limited even though the investigation developed evidence and testimony necessary for the trial to the complete satisfaction of the chief prosecutor.

MAILED 5  
SEP 21 1972  
FBI

Felt \_\_\_\_\_  
Baker \_\_\_\_\_  
Bates \_\_\_\_\_  
Bishop \_\_\_\_\_  
Callahan \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Jenkins \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Ponder \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_

MAIL ROOM ☒ TELETYPE UNIT ☐

54 SEP 28 1972

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

SEP 6 1972

TELETYPE

D 7

Mr. Felt	_____
Mr. Baker	_____
Mr. Bates	_____
Mr. Bishop	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Jenkins	_____
Mr. Marshall	_____
Mr. Miller, E.S.	_____
Mr. Ponder	_____
Mr. Soyars	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Kinley	_____
Mr. Armstrong	_____
Ms. Herwig	_____
Mrs. Neenan	_____

NR002 PH CODE

3 35 PM URGENT 9-6-72 SDB

TO ACTING DIRECTOR (100-460495) ATTENTION: DOMINTEL  
FROM PHILADELPHIA (67-367)

EASTCON (RECOMMENDED RECOGNITION)

RE PHILADELPHIA AIRTEL TO DIRECTOR APRIL SIX, SEVENTY TWO  
AND BUAIRTEL TO PHILADELPHIA APRIL NINETEEN, SEVENTYTWO, CAPTIONED  
AS ABOVE.

WITH THE SENTENCING OF CONVICTED SUBJECTS AND DISMISSAL OF  
"HUNG JURY" COUNTS SEPTEMBER FIVE, SEVENTYTWO IT APPEARS APPEAL  
ON THE ESTABLISHED FACTS IS ONLY LEGAL STEP LEFT. IN VIEW OF THIS,  
SUGGESTED RECOGNITION OF APRIL SIX, SEVENTYTWO AGAIN RECOMMENDED.  
END

JDJ FBI WASH DC CLR

EX-104

REC-48

100-460495-5634

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 [signature]

5 SEP 22 1972

PERS. REC. UNIT

576



UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI (100-460495) DATE: 9/28/72  
ATT: DOMINTEL

FROM : SAC, NEW YORK (100-168839) (RUC)

SUBJECT: EASTCON  
(OO: PH)

All outstanding investigation having been completed  
in this investigation, this case is considered RUC.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RTH/ra

EX-114

1932-940  
2-Bureau (RM)  
2-Philadelphia (100-51190) (RM)  
1-New York

REC-42

100-460495-5635

4 OCT 2 1972

TPW:psm  
(5)



5010-108

57 OCT 5 1972

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI

DATE: 11-16-72

FROM: SAC, MILWAUKEE (100-18467) (C)

SUBJECT:

SM / WWP-YAWF; PCPJ

OO: MILWAUKEE

aka

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-16-80 BY SP-5

SSN 393-54-4499

100-460495-5540

Re Milwaukee teletype to the Bureau, 3-30-72,  
captioned, "EASTCON - Demonstrations."

On 11-14-72, Special Agents [redacted]  
and [redacted] contacted subject at his home address  
and attempted to interview him concerning information ob-  
tained from [redacted] and [redacted] to the effect that he  
has been active with the Workers World Party--Youth Against  
War and Fascism (WWP-YAWF) and the People's Coalition for  
Peace and Justice (PCPJ).

Upon hearing the Agents' reason for interview,  
subject explained that he attends meetings of captioned  
organizations in cooperation with the Milwaukee Police  
Department (MIPD).

[redacted] Special Assignment Squad, MIPD, advised,  
on the same date, that [redacted]

Subject is a [redacted] date of birth [redacted]  
Social Security Account Number [redacted]

In view of the above information, Milwaukee is  
closing this case. A brief description of [redacted] is fur-  
nished to the Bureau for indexing purposes only.

2 - Bureau (RM)  
1 - Milwaukee

MJH:gms  
(3)

58 DEC 4 1972

REC-73

ST-112

4 NOV 23 1972

NOT

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

OCT 11 1972

TELETYPE

Mr. Felt ☒  
Mr. Baker ☒  
Mr. Bates ☐  
Mr. Bishop ☐  
Mr. Callahan ☐  
Mr. Cleveland ☐  
Mr. Conrad ☐  
Mr. Dalbey ☐  
Mr. Jenkins ☐  
Mr. Marshall ☒  
Mr. Miller ☒  
Mr. Ponder ☒  
Mr. Soyars ☐  
Mr. Walters ☐  
Tele. Room ☐

NR018 PH PLAIN

1245 AM PM 10-10-72 NITEL R J C

TO ACTING DIRECTOR (100-460495)

ATTENTION : DOMINTEL

FROM PHILADELPHIA (100-51190) (P)

EASTCON

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RSK/142

b6  
b7c

OCTOBER TEN INSTANT EDITION OF " THE EVENING BULLETIN",  
A DAILY PHILADELPHIA, PA., NEWSPAPER, ON PAGE FORTYTHREE,  
CONTAINED ARTICLE ENTITLED "DAVIDON, NUN SUE U.S. UNDER  
WIRETAPPING", WHICH, IN SUBSTANCE, SHOWS SISTER ELIZABETH  
MC ALISTER AND [REDACTED] TWO OF THOSE NAMED IN SO  
CALLED "HARRISBURG SEVEN" CONSPIRACY, FILED CIVIL SUIT FOR  
DAMAGES IN USDC TODAY ON GROUNDS OF WIRETAPPING.

THIS ARTICLE NAMES THE FOLLOWING AS DEFENDANTS " U.S.  
ATTORNEY GENERAL RICHARD G. KLIENDIENST; FORMER ATTORNEY  
GENERAL JOHN M. MITCHELL; PATRICK GRAY III, ACTING DIRECTOR,  
FBI; FBI AGENTS [REDACTED] AND CHARLES DURHAM; AS WELL AS  
JOE D. JAMIESON, FORMER HEAD OF FBI IN PHILADELPHIA.

END PAGE ONE

58 NOV 30 1972

22 NOV 27 1972

57

PAGE TWO

THIS ARTICLE STATES JOHN DOE AND RICHARD DOE, ALSO LISTED AS DEFENDANTS, AS PERSONS "WHOSE NAMES ARE AS YET UNKNOWN TO THE PLAINTIFFS". THEY ARE ACCUSED OF CARRYING ON THE ELECTRONIC SURVEILLANCE IN BEHALF OF THE DEFENDANTS.

EACH OF THE PLAINTIFFS SEEKS TOTAL OF ONE HUNDRED THOUSAND DOLLARS FROM ALL DEFENDANTS, INCLUDING FIFTY THOUSAND DOLLARS PUNITIVE DAMAGES, AND FIFTY THOUSAND DOLLARS ON GROUNDS RIGHTS WERE VIOLATED UNDER FIRST, FOURTH, AND NINTH AMENDMENTS TO U. S. CONSTITUTION.

THE ARTICLE INDICATES IN ADDITION, THEY WANT ONE HUNDRED DOLLARS A DAY FOR EACH DAY OF SURVEILLANCE UPON THEM OR ONE THOUSAND EACH, WHICHEVER IS HIGHER, FOR ALLEGED VIOLATION OF FEDERAL LAW WHICH MAKES WIRETAPPING ILLEGAL WITHOUT A COURT ORDER.

SUITS FILED BY ATTORNEY JACK L. LEVINE, DAVID KAIRYS, AND DAVID RUDOVSKY OF PHILADELPHIA, AND WILLIAM BENDER OF NEWARK, N. J.

END PAGE TWO

b6  
b7c

PAGE THREE

IN BILL OF COMPLAINT FILED IN USDC, IT WAS CHARGED THAT

[REDACTED] TELEPHONE CONVERSATIONS WERE MONITORED BETWEEN  
NOVEMBER TWENTYFOUR NINETEEN SEVENTY AND JANUARY SIX NINETEEN  
SEVENTYONE.

THIS NEWS ARTICLE INDICATES THE BILL CHARGES "THIS  
SURVEILLANCE WAS INITIATED AND MAINTAINED WITHOUT WARRANT OR  
OTHER LAWFUL AUTHORITY AND WAS DONE WITH THE APPROVAL OF  
MITCHELL. DURING THE COURSE OF THIS SURVEILLANCE, CONVERSA-  
TIONS TO WHICH PLAINTIFF MC ALISTER WAS A PARTY WERE MONITORED."

E N D

~~ECORRECT-PG ONE-SECOND LINE FROM BOTTOM-FIRST NAME SHD BE~~ [REDACTED]

END

HOLD

BJM FBI WASHDC

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller

DATE: 11/15/72

FROM : R. L. Shackelford

1 - Mr. E. S. Miller  
1 - Mr. T. E. Bishop

SUBJECT: EASTCON

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-88 BY SP-10A JEN

This is to advise you of the current status of appeals in instant matter.

Memorandum R. L. Shackelford to E. S. Miller dated 9/6/72 reported details regarding the sentencing of defendants Philip Berrigan and Elizabeth McAlister on the contraband counts of the indictment and of the Government's motion to dismiss the threatening communication and conspiracy counts.

On 11/15/72 Departmental attorney Robert Keuch, who is handling the appeal aspect of this matter, advised Supervisor Fred B. Griffith that on 10/16/72 a motion of appeal was filed with the court as to the convictions of Berrigan and McAlister. The defense has 30 days from receipt of a full transcript or 11/15/72, whichever is sooner, to file a brief in support of this motion which must be answered by the Government within 21 days of filing.

Mr. Keuch also advised that on 10/27/72 the defense filed a motion for reduction of sentence of both Berrigan and McAlister. An appropriate response in opposition to this motion was filed by the Government and as of 11/15/72 no order has been issued by the court.

The above material has been prepared in form suitable for inclusion in Mr. Gray's briefing book.

Arrangements have been made with Mr. Keuch in order that you may be promptly advised of the status of the above appeals.

ACTION: This is for your information.

22 NOV 27 1972

100-460495

1 - 100-449746 (Philip Berrigan)  
1 - 100-461429 (Elizabeth McAlister)

FBG:tlc  
54 DEC 5 1972  
332

WAC To be in Briefing Book Revision of 12/1/72

Felt  
Baker  
Casper  
Callahan  
Cleveland  
Conrad  
Dalbey  
Gebhardt  
Jenkins  
Marshall  
Mitts  
Purvis  
Soyars  
Walters  
Tele. Room  
Mr. Kinley  
Mr. Armstrong  
Ms. Herwig  
Mrs. Neenan

100-460495-5639  
RECORDED COPY FILED IN

Domestic Intelligence Division

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

b3 18 USC 2510-20

DATE 7-16-80 BY SP-2

For approximately

during

the period

a telephone surveillance was operated by  
the Philadelphia Office on the telephone  
of

This surveillance was approved  
by then Attorney General John M. Mitchell.

b6  
b7C

Attached teletype advises attorneys  
for [ ] and McAlister have filed civil  
suit in U. S. District Court, Philadelphia,  
against Mr. Mitchell, Attorney General  
Kleindienst, Acting Director Gray and  
Agents of the Philadelphia Office claiming  
First, Fourth, and Ninth Amendment rights  
of plaintiffs have been violated. Suit  
seeks total of \$100,000 from all defendants;  
\$50,000 punitive and \$50,000 for violation  
of above rights. Plaintiffs also want  
\$100 per each day surveillance in operation  
or \$1,000, whichever is higher.

b6  
b7C

Plaintiffs probably learned of  
surveillance from Movement attorneys who  
became aware of it during confidential  
sessions with Eastcon trial judge. We are  
furnishing this information to the Depart-  
ment in order that appropriate defense may  
be initiated. Office of Legal Counsel  
advised. Philadelphia being instructed to  
follow developments closely.

FBG:was

FBI RUS

7

WGC

EHA

JDK wew

PJD  
JDK

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-01 BY SP-5/LCB/ML



100-460495-5640

ENCLOSURE



RICHARD G. KLIENDIENST, Individually  
and as Attorney General of the  
United States

L. PATRICK GRAY, III, Individually and  
as Acting Director, Federal Bureau  
of Investigation

JOHN N. MITCHELL, Individually and as  
former Attorney General of the United  
States

[REDACTED], Individually and as Special  
Agent, Federal Bureau of Investigation

b6  
b7C

CHARLES DURHAM, Individually and as Special  
Agent, Federal Bureau of Investigation

JOSEPH JAMIESON, Individually and as Special  
Agent, Federal Bureau of Investigation

## United States District Court

FOR THE

EASTERN DISTRICT OF PENNSYLVANIACIVIL ACTION FILE NO. 72-1977SISTER ELIZABETH McALISTER  
WILLIAM DAVIDON , Plaintiffs

vs.

Plaintiff

v.

Defendant

REMOVED IN CIVIL ACTION

SUMMONS

To the above named Defendant :

You are hereby summoned and required to serve upon Jack J. Levine, Esq.

plaintiff's attorney , whose address is: 1427 Walnut Street  
Phila., Pa. 19102.

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JOHN J. HARDING

Clerk of Court.

J. H. Genckes

Deputy Clerk.

Date: 10/10/72

[Seal of Court]

Note:—This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

MT

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SISTER ELIZABETH McALISTER  
WILLIAM DAVIDON

Plaintiffs

v.

RICHARD G. KLIENDIENST, Individually  
and as Attorney General of the  
United States

L. PATRICK GRAY, III, Individually and  
as Acting Director, Federal Bureau  
of Investigation

JOHN N. MITCHELL, Individually and as  
former Attorney General of the United  
States

MASON SMITH, Individually and as Special  
Agent, Federal Bureau of Investigation

CHARLES DURHAM, Individually and as Special  
Agent, Federal Bureau of Investigation

JOSEPH JAMIESON, Individually and as Special  
Agent, Federal Bureau of Investigation

JOHN DOE and RICHARD ROE

Defendants

: Civil Action No. 72-1977

: Jury Trial Demanded

COMPLAINT

1. This action is brought by plaintiffs for compensatory and punitive damages occasioned by defendants' unauthorized and illegal electronic surveillance, overhearing, interception, use and disclosure of plaintiffs' oral and wire communications in violation of plaintiffs' rights to privacy, free speech, association, and political expression.

JURISDICTION

2. This action arises under the First, Fourth, and Ninth Amendments to the Constitution of the United States.

and 18 U.S.C. §2520. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §1331, 1332, and 1343(4), 18 U.S.C. §2520, and 47 U.S.C. §605 and the aforementioned constitutional provisions. The matter in controversy, exclusive of interests and costs, exceeds the sum of \$10,000.00.

PARTIES

3. Plaintiff SISTER ELIZABETH McALISTER is a citizen of the United States and a resident of the State of New York. She resides at 137 W. 85th St., New York, N.Y.

4. Plaintiff WILLIAM DAVIDON is a citizen of the United States and a resident of the Eastern District of Pennsylvania. He resides at 7 College Lane, Haverford, Pa., and is Chairman of the Department of Physics at Haverford College.

5. Defendant JOHN N. MITCHELL is former Attorney General of the United States. His present address is unknown to Plaintiffs. At the time of the events giving rise to this Complaint he was Attorney General of the United States.

6. Defendant RICHARD KLIENDIENST is Attorney General of the United States.

7. Defendant L. PATRICK GRAY, III is Acting Director of the Federal Bureau of Investigation. He is the successor to J. Edgar Hoover, the Director of the Federal Bureau of Investigation at the time of the events giving rise to this Complaint.

8. Defendants MASON SMITH, CHARLES DURHAM and JOSEPH JAMIESON were agents of the Federal Bureau of Investigation in Philadelphia at the time of the events giving rise to this complaint. Upon information and belief, they are presently

employed by the Federal Bureau of Investigation in like or similar capacities at locations now unknown to Plaintiffs.

9. Defendants JOHN DOE and RICHARD ROE, whose true names are as yet unknown to Plaintiffs are persons who have directed, authorized, participated in, disclosed and/or used electronic surveillance on behalf of other Defendants or the government agencies headed by them, or on behalf of other persons or agencies as yet unknown to Plaintiffs.

#### CAUSES OF ACTION

10. Upon information and belief, between the dates November 24, 1970, and January 6, 1971, the telephone conversations of Plaintiff DAVIDON were monitored, recorded, disclosed and used by agents of the United States Government. The use and disclosure continued after that date and continues to the present time.

11. This surveillance was continual and uninterrupted, with the possible exception of the period December 24, 1970 - January 2, 1971 inclusive.

12. This surveillance was initiated and maintained without warrant or other lawful authority, and was done at the direction of and with the approval of Defendant MITCHELL. It was carried out by agents whose identities are unknown to Plaintiffs.

13. During the course of this surveillance, conversations to which Plaintiff McALISTER was a party were monitored.

14. Plaintiff McALISTER was one of seven defendants in United States v. Ahmad et al., Crim. No. 14950, M.D. Pa., 1971.

During the course of pre-trial proceedings in this case, the fact of the surveillance was made known to her and her attorneys. See Exhibit A, attached hereto. During the course of post-trial proceedings, the contents of her own monitored conversations were made known to her.

15. Plaintiff DAVIDON has to this date not been formally advised by the government that his conversations were monitored. He alleges upon information and belief that he was the target of the surveillance on the following grounds:

(a) The target of the surveillance in question has been acknowledged by the government, through the testimony of Defendant SMITH, to have been an unindicted alleged co-conspirator. This acknowledgement was made during the course of post-trial proceedings in the above mentioned criminal case. (Testimony of MASON SMITH at Hearing on Electronic Surveillance, May 2, 1972, at p. 14, United States v. Ahmad et al., Crim. No. 14950, M.D. Pa. 1971.)

(b) Defendants SMITH, DURHAM and JAMIESON, the individuals responsible for and with access to the logs of the surveillance in question, were employed in the City of Philadelphia, and the said logs were housed in their office in that City.

(c) Plaintiff DAVIDON is the only unindicted alleged co-conspirator in the above criminal case who lived in or near Philadelphia at the time of the surveillance in question.

(d) Newspaper reports at the time the disclosure of surveillance as to Plaintiff McALISTER was made by the government stated that Plaintiff DAVIDON was the subject of the wiretap which monitored her conversations. The source of

the information which led to these press accounts is unknown to Plaintiffs or their attorneys.

(e) Defendant SMITH testified during the course of the above mentioned post-trial proceedings in Harrisburg that the wiretap was "out of operation from December 24, 1970 to January 2, 1971...because the subject or target, whatever you call it, was not at the premises." During this period Plaintiff DAVIDON was visiting relatives in the Western and Midwestern part of the United States. Hearing Transcript, supra, at p. 31.

16. All of this surveillance was in violation of the First and Fourth and Ninth Amendments, 18 U.S.C. §2520 and 47 U.S.C. §605.

17. Said interceptions, overhearing, use and disclosure were not made in good faith reliance on a court order or legislative authorization.

WHEREFORE, Plaintiffs pray:

1. That each Plaintiff have judgment against the Defendants jointly in the sum of

(a) \$100.00 per day of surveillance upon him and her, or \$1,000.00, whichever is higher (See 18 U.S.C. §2520(a)).

(b) \$50,000.00 punitive damages.

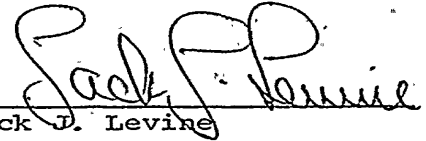
2. That Plaintiffs individually have judgment against the Defendants jointly in the sum of \$50,000.00 for violation of their First, Fourth and Ninth Amendment rights.

3. That Plaintiffs jointly have judgment against Defendants jointly for reasonable attorney's fees and other

costs reasonably incurred in connection with this action,  
pursuant to 18 U.S.C. §2520(c):

4. And for such other and further relief as may  
be just and proper.

Respectfully submitted,



Jack J. Levine  
David Kairys  
David Rudovsky  
1427 Walnut Street  
Philadelphia, Pa. 19102  
215-563-1388  
215-563-8312

William Bender  
103 Washington Street  
Newark, N.J. 07102  
201-648-5427



			<p>JACK J. LEVINE, ESQ. 1427 WALNUT STREET SUITE 200 PHILADELPHIA, PA. 19102 215 563-1388</p>
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100-460495-5640

F B I

Date: 10/19/72

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO: ACTING DIRECTOR, FBI (100-460495)

FROM: SAC, WFO (100-52299) (P)

EASTCON

Enclosed for the Bureau is one copy of a summons and a complaint for Acting Director L. PATRICK GRAY, III, which was received at WFO on 10/18/72.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-50

EX-117

REC 43

100-460495-5640  
5 OCT 19 1972

2-Bureau (Enc. 1)  
3-WFO  
(1-100-52944)  
(1-100-53796)

PEM:lmc  
(5)

58 DEC 7 1972

ENCLOSURE  
"ENCLOSURE ATTACHED"

Rev. Ad. Sect.  
73

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 [signature]



ENCLOSURE

100-460495-5642

RICHARD G. KLIENDIENST, Individually  
and as Attorney General of the  
United States

L. PATRICK GRAY, III, Individually and  
as Acting Director, Federal Bureau  
of Investigation

JOHN N. MITCHELL, Individually and as  
former Attorney General of the United  
States

Individually and as Special  
Agent, Federal Bureau of Investigation

CHARLES DURHAM, Individually and as Special  
Agent, Federal Bureau of Investigation

JOSEPH JAMIESON, Individually and as Special  
Agent, Federal Bureau of Investigation

b6

b7C

## United States District Court

FOR THE  
EASTERN DISTRICT OF PENNSYLVANIACIVIL ACTION FILE No. 72-1977SISTER ELIZABETH McALISTER  
[REDACTED], Plaintiffs

vs.

Plaintiff

v.

Defendant

SUMMONS

b6  
b7C

To the above named Defendant :

You are hereby summoned and required to serve upon Jack J. Levine, Esq.

plaintiff's attorney , whose address is: 1427 Walnut Street  
Phila., Pa. 19102

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JOHN J. HARDING

Clerk of Court.

J. H. Jenckes

Deputy Clerk.

Date: 10/10/72

[Seal of Court]

Note:—This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

Assistant Attorney General  
Civil Division

October 26, 1972

Acting Director, FBI

ST-111

REC-24

100-460495-5642

1 - Mr. Miller  
1 - Mr. Dalbey  
1 - Mr. Mintz

b6  
b7C

SISTER ELIZABETH McALISTER, [redacted]  
[redacted] v. RICHARD G. KLIENDIENST, et al.  
CIVIL ACTION NO. 72-1977  
U.S.D.C. E.D. OF PENNSYLVANIA

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 [redacted]

Enclosed are copies of the summons and complaint and an affidavit of former Attorney General Mitchell in captioned case received at the Washington Field Office of the FBI on October 19, 1972. Three copies of each were received designated for [redacted] Charles Durham, and Joseph Jamieson, respectively. There was no copy indicated for L. Patrick Gray, III. It is noted that [redacted] and Durham are assigned to the Philadelphia Office of the FBI and Jamieson is assigned at Los Angeles, California. Personal service on them would not be appropriate through the Washington Field Office.

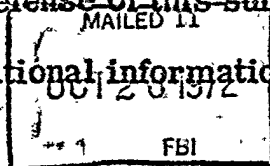
b6  
b7C

The complaint alleges that plaintiff McAlister was a defendant in the criminal case United States v. Ahmad, et al., Crim. No. 14950, M.D. Pa., 1971, and that an affidavit prepared by former Attorney General Mitchell in connection with the criminal case revealed the fact of surveillance of McAlister's conversations. The complaint further alleges that [redacted] is identified through testimony of Special Agent [redacted] given in connection with the criminal case, a [redacted]

b3 18 USC 2510-2  
b6 n  
b7C

In view of the affidavit and the testimony, the issues presented in the complaint appear to be more matters of law than fact. In that regard we defer to your judgment and request that you provide appropriate representation in defense of this suit.

Such additional information as you may need will be furnished upon request.



Enclosures (2)

JAM:deh

(6)

SEE NOTE PAGE TWO

DEC 5 1972

57 DEC 7 1972

DEC 4 1972

MAIL ROOM ☒ TELETYPE UNIT ☐

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e. Room \_\_\_\_\_  
Kinley \_\_\_\_\_  
Armstrong \_\_\_\_\_  
Herwig \_\_\_\_\_  
Neenan \_\_\_\_\_

Assistant Attorney General  
Civil Division

NOTE: Based on incoming airtel from WFO dated 10/19/72, captioned  
EASTCON.

F B I

Date: 10/19/72

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL \_\_\_\_\_  
(Priority)

TO: ACTING DIRECTOR, FBI (100-460495)

FROM: SAC, WFO (100-52299)(P)

EASTCON

Enclosed for the Bureau are three summonses in Civil Action No. 72-1977 of the U.S. District Court for the Eastern District of Pennsylvania, that were received at WFO on 10/19/72.

These are addressed to SAC JOE DAVID JAMIESON, SA  
 and SA CHARLES DURHAM.

b6  
b7C

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-16-80 BY SP 5186/141

*For c send to Dept with let SI-111  
 dtd 10/19/72, Jans. del*

REC-24

100-460475-5642

2 - Bureau  
 1 - WFO

JRP:sup  
 (3)

ENCLOSURE ATTACHED

Approved: *[Signature]*  
 Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_



UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. E. S. Miller *Emf*

DATE: 12-5-72

FROM : R. L. Shackelford *RLS*

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

SUBJECT: EASTCON

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 *MLK/MLK*

Felt \_\_\_\_\_  
Baker \_\_\_\_\_  
Callahan \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Gebhardt \_\_\_\_\_  
Jenkins \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Purvis \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Mr. Holtz \_\_\_\_\_  
Mr. Gandy \_\_\_\_\_

This is to advise you of the current status of appeals in this matter.

Memorandum R. L. Shackelford to E. S. Miller dated 11-15-72 advised that on 10-27-72 the defense filed a motion for reduction of sentence for both Philip Berrigan and Elizabeth McAlister who were convicted at the Harrisburg trial for violations in the contraband counts of the indictment.

On 12-4-72 Departmental attorney Robert Kuech advised Supervisor Fred B. Griffith that on 11-29-72 Judge R. Dixon Herman denied the defense motion for a reduction of sentence. Mr. Kuech also stated that he has heard Ramsey Clark, Philip Berrigan's attorney, is to file a motion for a summary reversal of the convictions of both Berrigan and McAlister. He said this motion will be based upon the unconstitutionality of the statute under which they were convicted and understands that the research for this motion was done by a group of young lawyers connected with Fordham University. No specific date was set for the filing of this motion.

The action referred to above should not be confused with recent publicity given to the action of the U. S. Board of Parole in granting Philip Berrigan parole on 12-20-72. This parole applies to his current sentence for destruction of Selective Service records in Baltimore and Catonsville, Maryland, in 1967.

*Done 7/6*  
The information concerning the denial of the motion for reduction of sentence will be prepared in form suitable for inclusion in Mr. Gray's briefing book.

ACTION: This is for your information.

100-460495

REC-17

1 - 100-449746 (Philip Berrigan)  
1 - 100-461429 (Elizabeth McAlister)

FBG:tlc

DEC 14 1972

3516

CWT

DEC 14 DEC 16 1972

Rev. Act. Sec. *MLK*

100-461429-  
100-449746-  
UNRECORDED COPY FILED IN

1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith

SAC, Philadelphia (100-51190)

2/5/73

Acting Director, FBI (100-460495)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 [signature]

**EASTCON**

File review discloses a paucity of information from your office relative to the status of several facets of this case in the U. S. District Court, Harrisburg, Pennsylvania, which are of interest to FBIHQ. This would include information relative to motions and appeals in behalf of Philip Berrigan and Elizabeth McAlister; disposition, if any, of cases of those individuals cited for civil contempt or indicted for criminal contempt for refusal to testify before the Grand Jury and the status of the case concerned with John Theodore Glick who was severed from the other Harrisburg defendants to be tried separately.

Promptly review pertinent records in the U. S. District Court in Harrisburg and submit under appropriate individual captions information necessary to resolve the above. Handle this matter promptly and take steps to insure the court records are viewed on a regular basis and that information of interest is promptly submitted to FBIHQ. This should be done until all individuals are adjudicated.

In the event any of the above requested information has been previously submitted, advise date and caption of communications.

ST-100 REC-70

100-460495-5694

FBG:mjgnjg  
(5)

5 FEB 2 1973

NOTE:

FEB 2 1973

Philip Berrigan and Elizabeth McAlister were convicted on four and three counts respectively of smuggling contraband out of and into Lewisburg Penitentiary and several post trial motions were filed in their behalf. In addition, four individuals were cited for civil contempt and four were indicted for criminal contempt in April, 1971. These cases were to have been disposed up following the Eastcon trial as was the case of Glick. Above instructions necessary to insure adjudication of these matters is followed.

1/10/73 0-1 12/1/73  
Index of investigation  
2-18C/10/73  
Felt  
Mr. Baker  
Mr. Callahan  
Mr. Cleveland  
Mr. Conrad  
Mr. Gebhardt  
Mr. Jenkins  
Mr. Marshall  
Mr. Miller, E.S.  
Mr. Ponder  
Mr. Rasmussen  
Mr. Sullivan  
Mr. Tavel  
Mr. Trotter  
Mr. Tele. Room  
Mr. Holmes  
Miss Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

FBG

CODE

TELETYPE

URGENT

TO SACS NEW YORK (100-168469)  
WFO

1/16/73

1 - Mr. Shackelford  
1 - [redacted]

b6  
b7c

FROM ACTING DIRECTOR FBI (100-457899)

COMMITTEE OF LIAISON WITH FAMILIES OF SERVICEMEN DETAINED IN  
NORTH VIETNAM (COLIFAM), IS - REVOLUTIONARY ACTIVITIES.

REBUTEL 1/12/73.

ON 1/15/73 UNITED PRESS INTERNATIONAL REPORTED THAT U.S. DISTRICT  
COURT JUDGE REFUSED TO ORDER U.S. PAROLE BOARD TO ALLOW REVEREND  
PHILIP BERRIGAN AND [redacted] TO TRAVEL TO HANOI.  
HEARING ON CASE SCHEDULED FOR THURSDAY, 1/18/73.

RECIPIENTS BE ALERT FOR INDICATION THAT BERRIGANS ARE PART OF  
DELEGATION TO HANOI REPORTED IN REFERENCED TELETYPE WHICH POSSIBLY  
INCLUDES FORMER U.S. ATTORNEY GENERAL RAMSEY CLARK. CONTINUE EFFORTS  
TO DETERMINE IDENTITIES OF OTHER PARTICIPANTS AND FOLLOW PROCEEDINGS  
REGARDING BERRIGANS TO DETERMINE IF ORDER OF U.S. DISTRICT COURT  
JUDGE REVERSED.

1 - 100-449746 (Philip Berrigan)  
① - 100-460495 [redacted]  
RLP:mcm (6)

NOT RECORDED

100-460495-1  
JAN 18 1973

NOTE:

WFO source developed information concerning possible  
delegation of prominent U.S. citizens, including former U.S.  
Attorney General Ramsey Clark, planning to travel to North Vietnam  
approximately 1/25/73. Butel 1/12/73 to New York and WFO  
instructed recipients to attempt to determine through informants  
and established sources, if possible, identities of other  
participants in delegation and any additional details. Information  
reported in press that Berrigans' request to travel to Hanoi in  
near future has been denied indicated possibility that Berrigans  
of delegation. New York and WFO being alerted.

JAN 23 1973

DUPLICATE YELLOW OF  
WIRE TRANSMITTED

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-3 RTH  
16m

ORIGINAL FILED IN  
100-457899-129

Airtel

1 - Mr. R. E. Gebhardt  
(Route through for review)  
1 - Mr. R. L. Shackelford  
1 - Mr. F. B. Griffith  
1/12/73

To: SACs, Chicago  
Newark  
Philadelphia

From: Acting Director, FBI

UNSUBS; Attempted Damage to Railroad  
Switches, Vicinity of Joliet Army  
Ammunition Plant (JAAP), Joliet  
Arsenal, Joliet, Illinois, 1/5/73, FTWS

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY sp5  
RJM/m

ReCGtel dated 1/5/73 captioned "UNSUBS; Attempted Damage  
to Railroad Switches, Vicinity of Joliet Army Ammunition Plant (JAAP),  
Joliet Arsenal, Joliet, Illinois, 1/5/73, FTWS, OO: Chicago, Possible  
Sabotage, Eastcon, IS - RA, OO: Philadelphia."

For the information of Chicago, the Eastcon case pertains  
only to the investigation and subsequent prosecution of Philip  
Berrigan and others for conspiracy in connection with plots to blow  
up the Washington, D. C. utility tunnels serving Government buildings,  
to kidnap a high Government official and to disrupt the Selective  
Service system. This matter was brought to trial at Harrisburg,  
Pennsylvania, during early part of 1972. The fact that the unknown  
subjects chose to refer to the East Coast Conspiracy to Save Lives in  
material left at the crime scene does not automatically mean that they  
are connected with the Eastcon case. Accordingly, until such time as  
this is established, you should delete "Eastcon" from the title of  
this case.

1 - 100-460495 (Eastcon)

FBG:mjg  
(11)

NOTE:

On 1/5/73 unknown subjects attempted to render inoperable  
railroad switches on three different railroads serving the Joliet,  
Illinois, Army Ammunition Plant. This matter is being investigated  
under the Federal Train Wreck statute and as possible sabotage.  
Material left at the scene accepting responsibility for this  
action was signed by the East Coast Conspiracy to Save Lives.  
Above instructions are necessary to insure this matter is not  
confused with the Eastcon case.

100-460495

NOT RECORDED

165 JAN 15 1973

ORIGINAL FILED IN

FBI

Date: 1/8/73

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL

(Priority)

b6  
b7c

TO: ACTING DIRECTOR, FBI

FROM: SAC, PHILADELPHIA (98-NEW)

SUBJECT: UNSUBS; ATTEMPTED DAMAGE TO  
RAILROAD SWITCHES, VICINITY OF  
JOLIET ARMY AMMUNITION PLANT (JAAP),  
JOLIET ARSENAL, JOLIET, ILL.,  
1/5/73  
FTWS  
OO: CHICAGO

POSSIBLE SABOTAGE;

EASTCON

IS - RA

OO: PHILADELPHIA

CG FILE 100-50237

PH FILE 100-51190

BUFILE 100-460495

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5  
RSH/lin

Re Chicago teletype, 1/5/73, and Philadelphia  
teletype, 1/8/73.

Enclosed for Chicago is a copy of report of  
SA [redacted], at Philadelphia, Pa., dated  
12/29/72, captioned, " [redacted] "

[redacted] Attempt to Destroy  
Railroad Switch, American Machine and Foundry Company, York,  
Pa., 12/18/72, SABOTAGE; FEDERAL TRAIN WRECK STATUTE, "

100-460495-

NOT RECORDED

25 JAN 15 1973

20 JAN 10 1973

② - Bureau (RM)  
2 - Chicago (Enc. 1) (RM)  
59 JAN 11 1973 Philadelphia (98-NEW)

BJT/nam

(6)

Approved: [signature]

Special Agent in Charge

Sent

M

Per

Original Filed In 100-2228-2

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

JAN 08 1973

TELETYPE

Mr. Felt	_____
Mr. Baker	_____
Mr. Callahan	_____
Mr. Cleveland	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Gethardt	_____
Mr. Jenkins	_____
Mr. Jones	_____
Mr. Ladd	_____
Mr. Nichols	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Walters	_____
Tele. Room	_____
Mr. Gandy	_____

*ESM:js*

*Goldblond*  
*WTFB*

b6  
b7C

KNR 002 PH PLAIN

5 03 PM 1-8-73 NITEL MCA  
TO ACTING DIRECTOR  
CHICAGO

FROM PHILADELPHIA (98-NEW) 1P

UNSUBS; ATTEMPTED DAMAGE TO RAILROAD SWITCHES, VICINITY OF JOLIET  
ARMY AMMUNITION PLANT (JAAP), JOLIET ARSENAL, JOLIET, ILL., 1-5-73,  
FTWS, OO: CHICAGO. POSSIBLE SABOTAGE, EASTCON, IS-RA, OO: PHILA.  
(CG FILE 100-50237), PHILA. FILE 100-51190, (BUFILE 100-460495)

RE CHICAGO TELETYPE, 1-5-73.

*100-460495-*

PHILA. SOURCES HAVE BEEN UNABLE TO FURNISH ANY INFO RE  
CAPTIONED MATER.

NOT RECORDED  
98 JAN 15 1973

FOR INFO OF CHICAGO, SIMILAR INCIDENT TOOK PLACE AT AMERICAN  
MACHINE AND FOUNDRY CO., YORK, PA., DEC. 1812. *a lot of research in history on this one.*

COPY OF PHILA. REPORT OF SA [REDACTED], DATED  
12-29-72, CONCERNING THAT CASE IS BEING FORWARDED TO CHICAGO BY  
AIRTEL FOR INFO PURPOSES.

E N D

98-  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5

JAN 11

REC. SEC.

ORIGINAL FILED IN 100-2228-3

3 JAN 11 1973

airtel

12/21/72

To: SACs, St. Louis  
Cincinnati

From: For the Acting Director, FBI  
W. Mark Felt  
Acting Associate Director

100-430495-

[REDACTED]  
SM - REVOLUTIONARY ACTIVITIES (EXTREMIST)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5  
BWH/142

Re St. Louis airtel 12/18/72.

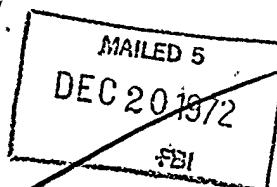
Referenced airtel enclosed an FD-302 setting forth the results of an interview with [REDACTED] wherein she furnished information concerning alleged association of the subject with the Berrigan brothers, his attendance at meetings of a political nature and having revolutionary overtones once a week at Washington University, St. Louis, Missouri, and reported possession of bombs in the residence of the subject. St. Louis set forth leads for Cincinnati to interview the subject's recently estranged wife to determine subject's association with the Berrigans and his alleged knowledge of explosives; and for St. Louis to develop background information regarding the subject and interview him.

The Bureau is of the opinion that it is premature to interview the subject's wife [REDACTED] as well as interview of him. It is felt that a more extensive investigation is desired prior to such action and informants should be contacted to determine the nature of meetings attended by subject at Washington University, and to substantiate his possession of bombs and knowledge of explosives, as well as his involvement in the violence-prone New Left Movement. Additional leads as set forth in referenced airtel should be covered and more intensive investigation undertaken at St. Louis to determine the involvement of the subject as noted above. Insure above caption is used in future communications.

TDJB:crk  
(3)

SEE NOTE PAGE TWO

Felt \_\_\_\_\_  
Baker \_\_\_\_\_  
Callahan \_\_\_\_\_  
Cleveland \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Gebhardt \_\_\_\_\_  
Jenkins \_\_\_\_\_  
Marshall \_\_\_\_\_  
Miller, E.S. \_\_\_\_\_  
Purvis \_\_\_\_\_  
Soyars \_\_\_\_\_  
Walters \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Kinley \_\_\_\_\_  
Mr. Armstrong \_\_\_\_\_  
Ms. Herwig \_\_\_\_\_  
Mrs. Neenan \_\_\_\_\_



JAN 5 1973

MAIL ROOM ☐TELETYPE UNIT ☐

ORIGINAL FILED IN 100-474817

Airtel to St. Louis: Et Al

Re: [REDACTED]

ALL INDIVIDUALS INVOLVED IN NEW LEFT EXTREMIST ACTIVITY  
SHOULD BE CONSIDERED HAVING A CAUSE OF THEIR OWN AND NOT THE  
CAUSE OF OTHERS, REPORTED ACQUISITION OF FIREARMS AND INCLUDING  
AND IN A TENDENCY FOR VIOLENCE.

NOTE:

The subject according to [REDACTED] a former close associate of the subject and his wife, has indicated he has had a close association with the Berrigan brothers and stated that the Berrigans actually did intend to do the things for which they were charged by the Federal Government. He reportedly attended meetings of a somewhat clandestine nature at Washington University once a week and according to a comment by his wife, immediately after their estrangement, in which she expressed fear of going to his apartment to pick up their son because of "the bombs," and other comments by her that he was in possession of explosives. While St. Louis has conducted limited background investigations, they have not developed information to date to support the allegations against the subject and therefore, leads to interview him and his wife are premature.



F B I

Date: 12/18/72

b6  
b7cTransmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL AIRMAIL  
(Priority)

TO: ACTING DIRECTOR, FBI

FROM: SAC, ST. LOUIS (100-NEW) P  
*Eastcon*

SUBJECT:   
SM - RA

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-88 BY SP-5  
*[Signature]*

Enclosed for the Bureau, Cincinnati and Philadelphia are two copies each of an FD-302 reflecting an interview with  at St. Louis on 12/13/72.

This FD-302 reflects the possibility that captioned subject is an associate of  and PHILLIP BERRIGAN and that captioned subject might have knowledge of explosive devices.  was interviewed subsequent to contact with Aeronautical Chart and Information Center (ACIC), SLMO.  advised that

Based on information furnished by  the following investigation was conducted:

St. Louis indices regarding  are negative. A review of Missouri driver's license records reflected the following:

2 - Bureau (2 - 100-NEW) (Encl. 2) (RM)  
(1 - 100-460495)

2 - Cincinnati (Encl. 2) (RM)

2 - Philadelphia (Encl. 2) (RM)

3 - St. Louis (2 - 100-NEW)   
(1 - 100-22268)

ENCLOSURE  
NEW:ck  
(10)

NOT RECORDED  
172 DEC 26 1972

Approved: *[Signature]*  
Special Agent in Charge

Sent \_\_\_\_\_ M. Per \_\_\_\_\_

ORIGINAL FILED IN 100-474817-

SL 100-NEW

[redacted] Missouri License  
[redacted] residence [redacted]  
[redacted] DOB [redacted]  
[redacted] made application 1/28/70.

[redacted] Missouri license  
[redacted] residence [redacted]  
DOB [redacted] POB [redacted]  
made application 1/28/70.

[redacted]  
[redacted] DOB [redacted] POB [redacted]  
[redacted] made application 4/9/69.

A review of SL County and City Directories fail to reflect a current residence for [redacted]. The 1970 St. Louis County Directory reflects a [redacted] employed as Counselor, State Employment Service, St. Louis, residing at [redacted].

On 12/14/72, [redacted] Edmundson Garden Apartments, SLMO, advised that the Edmundson Garden Apts. were directly across from Lambert Field and [redacted] had been occupied by [redacted] and one child from approximately 9/70 to 9/71. The application completed by [redacted] on 8/14/70 disclosed the following information:

[redacted] DOB [redacted] attended college for three years (institution not named) and served in the U.S. Armed Services (branch not designated). [redacted] was employed by the Clayton Surveying and Engineering Firm as a surveyor and had been so employed for 3½ years. A prior employment was listed as Engineering Co. in California--5 years. [redacted] listed her DOB as [redacted]. Prior residences were listed as [redacted] - 9 months; [redacted] SLMO - 2½ years. A banking reference was listed as the First Northwest Bank and a credit reporting listed a low three figure savings account and no checking account. [redacted] advised that while residing in the Edmundson Garden Apartments, [redacted] paid the rent by check, however, could provide no further information regarding the checks. The application listed nearest relative as [redacted] and personal references as [redacted].

SL 100-NEW

St. Louis indices negative regarding [redacted] and [redacted] although it is noted that [redacted] is the residence of the parents of [redacted] previously interviewed by St. Louis in connection with the Red Bird Cove Commune Case.

FD-9's have been submitted by St. Louis.

LEADS

THE CINCINNATI DIVISION:

AT SPRINGFIELD, OHIO:

Locate and interview [redacted] re [redacted] his association with the BERRIGANS, and his alleged knowledge of explosives.

THE PHILADELPHIA DIVISION:

AT PHILADELPHIA, PENN.:

Search indices regarding [redacted]

and [redacted]

THE ST. LOUIS DIVISION:

AT ST. LOUIS, MO.:

Will contact local companies who sell explosives and determine whether the [redacted] or his company have acquired explosives.

Will interview [redacted] husband of [redacted]

Will continue background investigation regarding the [redacted] and will interview subject.

AT FRC:

Search military records for [redacted] aka [redacted] DOB [redacted] and furnish pertinent background information.

FEDERAL BUREAU OF INVESTIGATION  
FOIPA  
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 59

Page 10 ~ b6, b7C, b7D

Page 36 ~ b2, b6, b7C, b7D

Page 37 ~ b6, b7C, b7D

Page 77 ~ b2, b6, b7C, b7D

Page 78 ~ b6, b7C, b7D

Page 79 ~ b2, b6, b7C, b7D

Page 80 ~ b6, b7C, b7D

Page 81 ~ b6, b7C, b7D

Page 87 ~ b2, b6, b7C, b7D

Page 88 ~ b2, b6, b7C, b7D

Page 89 ~ b6, b7C, b7D

Page 90 ~ b6, b7C, b7D

Page 91 ~ b7D

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Page 127 ~ b6, b7C, b7D

Page 129 ~ b7D

Page 147 ~ b7D

Page 149 ~ b6, b7C, b7D

Page 157 ~ b6, b7C, b7D

Page 163 ~ Duplicate

Page 164 ~ b6, b7C, b7D

Page 165 ~ Duplicate

Page 185 ~ b2, b6, b7C, b7D

Page 186 ~ b2, b6, b7C, b7D

Page 200 ~ b2, b3 Rule 6(e), b6, b7C, b7D

Page 201 ~ b2, b6, b7C, b7D

Page 202 ~ b2, b6, b7C, b7D

Page 203 ~ b6, b7C, b7D

Page 204 ~ b6, b7C, b7D

Page 205 ~ b6, b7C, b7D

Page 206 ~ b6, b7C, b7D

Page 207 ~ b6, b7C, b7D

Page 208 ~ b2, b6, b7C, b7D

Page 209 ~ b2, b3 Rule 6(e), b6, b7C, b7D

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Page 211 ~ b2, b6, b7C, b7D

Page 212 ~ b2, b6, b7C, b7D

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Page 214 ~ b2, b6, b7C, b7D

Page 215 ~ b2, b6, b7C, b7D

Page 216 ~ b2, b6, b7C, b7D

Page 217 ~ b2, b6, b7C, b7D  
Page 233 ~ Referral/Direct  
Page 234 ~ Referral/Direct  
Page 240 ~ Duplicate  
Page 241 ~ Duplicate  
Page 242 ~ Duplicate  
Page 243 ~ Duplicate  
Page 244 ~ Duplicate  
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Page 247 ~ Duplicate  
Page 262 ~ b6, b7C  
Page 263 ~ b6, b7C  
Page 264 ~ b6, b7C  
Page 265 ~ b6, b7C

FBI File No. 100-HQ-460495 --- Section 112

UNITED STATES GOVERNMENT

# Memorandum

TO: WASP

ACTING DIRECTOR, FBI (100-460495)

DATE: 3/14/73

FROM:

SAC, PHILADELPHIA (100-51190)

SUBJECT:

EASTCON

Re Acting Director letter to Philadelphia dated 2/5/73.

On 2/15/73, AUSA PAUL J. KILLION, MDPA, Harrisburg, Pa., advised that PHILIP BERRIGAN and ELIZABETH MC ALISTER appealed their conviction to the Third Circuit of Appeals in Philadelphia, Pa. He advised that all relevant material would be filed in the Clerk's Office of the Third Circuit. In addition, he stated that Departmental Attorney GARVIN OLIVER, United States Department of Justice, would also have all material in relation to this case. He advised that OLIVER had filed a 170 page brief which the Circuit had ordered cut to 75 pages. The government response was due on 3/19/73.

It should be noted that outstanding contempt indictments were dismissed upon motion by the government and that JOHN THEODORE GLICK's indictment had also been dismissed.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-16-80 BY SP-5 NJH/ra

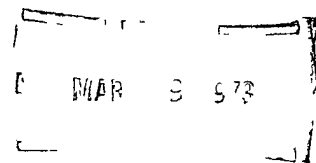
- ②-Bureau (100-460495)
- 2-Philadelphia (100-51190)

CRS:btp  
(4)

REC-28

ST-112

100-460495-5645



5010-10

MAY 4 1973

1973

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

# Memorandum

DECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE  
DATE 01-14-2011

TO : DIRECTOR, FBI (25-629538)

DATE: 10/15/71

FROM : SAC, BOSTON (25-29029) (P)

~~CONFIDENTIAL~~

SUBJECT: UNSUB; *Selection Review Board*  
BREAK-IN OF LOCAL BOARD 22  
SOMERVILLE, MASS.  
7/12-13/71  
TGP;DGP;SSA *Eastcon*  
OO:BS

Re Legat, Madrid letter to Bureau dated 8/12/71, and captioned "EAST COAST CONSPIRACY TO SAVE LIVES, IS-NEW LEFT".

Enclosed for the Bureau are five copies of an LHM dated and captioned as above, for proper dissemination.

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP (S) OF *Class*  
DATE *7-23-80 JC*

100-460495- *Pa*

NOT RECORDED

152 NOV 23 1971

*Place in  
100-460495  
"Eastcon"*

EX-109

REC 31

② Bureau (Encs. 5)  
2 Boston  
JG:mm  
(4)

ENCLOSURE  
CLASS. & EXT BY *SP-3*  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW *10-15-97*

*1 cc det RNN  
mm 1515  
mm 736*

*3 cc LHM to Madrid,  
0-7, 11/18/71 KIM:SGJ*

60 NOV 23 1971

~~CONFIDENTIAL~~

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ORIGINAL FILED IN 25-629538-79





NON SYMBOL SOURCE ADMINISTRATIVE PAGE ~~CONFIDENTIAL~~

Foreign source abroad is

b7D

NON SYMBOL SOURCE ADMINISTRATIVE PAGE

~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Boston, Massachusetts  
October 15, 1971

In Reply, Please Refer to  
File No.

~~CONFIDENTIAL~~

UNKNOWN SUBJECT  
BREAK-IN OF LOCAL BOARD 22  
SOMERVILLE, MASSACHUSETTS  
JULY 12-13, 1971

b6  
b7C

On August 12, 1971, a confidential source abroad made available the original Classification Questionnaire of [redacted] [redacted] dated December 2, 1970, Local Board 22 letters dated December 2, 1970 and April 14, 1971, Local Board Number 22 envelope, and cover letter dated July 13, 1971 from the East Coast Conspiracy to Save Lives. (S) (u)

The above documents were forwarded to the FBI Laboratory for examination.

On October 13, 1971, Classification Questionnaire of [redacted] Selective Service Number [redacted] dated December 2, 1970, and Local Board 22 letters dated December 2, 1970 and April 14, 1971 returned to [redacted] [redacted] Local Board 22, Field House, Powder House Square, Somerville, Massachusetts.

7-16-80  
CLASS. & EXT. BY SP-5 RJG/hw  
REASON - FCIM 11, 1-2.4.2  
DATE OF REVIEW 10-15-91

~~CONFIDENTIAL~~

ENCLOSURE

ENCLOSURE

100-460495-

DECLASSIFICATION AUTHORITY DERIVED FROM:  
FBI AUTOMATIC DECLASSIFICATION GUIDE  
DATE 01-14-2011

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Boston, Massachusetts

October 15, 1971

In Reply, Please Refer to  
File No

~~CONFIDENTIAL~~

Title	UNKNOWN SUBJECT BREAK-IN OF LOCAL BOARD 22 SCMERVILLE, MASSACHUSETTS JULY 12-13, 1971
Character	THEFT OF GOVERNMENT PROPERTY; DESTRUCTION OF GOVERNMENT PROPERTY
Reference	SELECTIVE SERVICE ACT

Letterhead Memorandum dated  
10/15/71 at Boston.

All sources (except any listed below) whose identities  
are concealed in referenced communication have furnished reliable  
information in the past.

~~CONFIDENTIAL~~

This document contains neither recommendations nor conclusions of the FBI. It is the property  
of the FBI and is loaned to your agency; it and its contents are not to be distributed outside  
your agency.

UNITED STATES GOVERNMENT

# Memorandum

TO : Acting Director, FBI (100-460495) DATE: 5/15/73

FROM : SAC, Philadelphia (100-51190) (P\*)

SUBJECT:

EASTCON

Re Philadelphia letter to the Bureau dated 3/14/73.

S. JOHN COTTONE, USA, MDPA, Scranton, Pa., advised 5/14/73 that ROBERT L. KEUCH, Deputy Chief, Appellate Section, Criminal Division, U. S. Dept. of Justice, argued appeals of MC ALISTER and BERRIGAN in the Third Circuit on 4/26 or 4/27/73.

He stated no one from his office was present at the arguments and to his knowledge a decision has not been handed down by the Third Circuit.

COTTONE further advised the decision of the Third Circuit in this matter would be furnished Mr. KEUCH in Washington and his office may not receive the results until such time as the Dept. of Justice may see fit to furnish his office a copy.

Bureau is requested through liaison with Dept. of Justice to arrange for the Bureau to be furnished results of the Third Circuit decision and advise Philadelphia.

② - Bureau (RM)  
1 - Philadelphia

PFS:VFH  
(3)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJB/146

REC-76

EX-117

16 MAY 17 1973



5010-108-02

Buy U S Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

# Memorandum

TO

DATE November 2, 1973

FROM R. G. Hunsinger

SUBJECT

SM - EAST COAST CONSPIRACY TO SAVE LIVES  
(Bufile #100-462744)

Assoc Dir \_\_\_\_\_  
Asst Dir \_\_\_\_\_  
Admin \_\_\_\_\_  
Comp Syst \_\_\_\_\_  
Ext Affairs \_\_\_\_\_  
Files & Com \_\_\_\_\_  
Gen Inv \_\_\_\_\_  
Ident \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Plan & Eval \_\_\_\_\_  
Spec Inv \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun \_\_\_\_\_  
Telephone Rm \_\_\_\_\_  
Director Sec \_\_\_\_\_

On 10/30/73 [redacted] telephonically contacted SA [redacted] of the Administrative Division and requested to come to FBI Headquarters to discuss a matter with him. It is noted [redacted] formerly resided in the same neighborhood as SA [redacted] in McLean, Virginia. By way of background [redacted] is the sister of [redacted] who was, according to an informant, contacted for the purpose of providing a map of the Washington, D. C., underground tunnel system and to also provide access to these tunnels for the individuals involved in the conspiracy to destroy the pipes and conduits. [redacted] and her brother received considerable publicity in connection with this case and [redacted]

[redacted] came to FBIHQ on 10/31/73 and was interviewed by SA [redacted]. During the conversation [redacted] stated that she is no longer working with the peace movement as we now have peace in our country and that she feels that "justice was served" in the trial involving the East Coast Conspiracy to Save Lives. Her conversation was rambling and covered various incidents such as [redacted] and the assassinations of John F. Kennedy and Robert F. Kennedy. She advised [redacted]

SRB:sam  
(3)

- 1 - Intelligence Division
- 1 - [redacted]

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5

NOT RECORDED  
NOV 15 1973

NOV 20 1973

Memo Hunsinger to [redacted]

Re: [redacted]

b6  
b7C

[redacted]  
[redacted] and her husband are divorced and she spent considerable time on 10/31/73 discussing the problems she was still having with her husband over her custody and his visitation rights regarding their 3 children. Her allegations were nonspecific and in conclusion [redacted] advised that she had no information concerning any type of violation under the FBI's jurisdiction.

ACTION:

None. For information. In view of [redacted]  
[redacted] it is suggested that the External Affairs Division prepare an appropriate card [redacted]

*[Handwritten signature]*

*95*  
*[Handwritten mark]*

*Appears  
Card has been  
made in  
Correspondence +  
Tour Section.  
11-8-73 jth*

UNITED STATES GOVERNMENT

# Memorandum

69/3  
WS/B  
DIRECTOR, FBI (100-460495)

DATE. 11/7/73

FROM SAC, PHILADELPHIA (100-51190) (C)

SUBJECT

EASTCON

Re Philadelphia letter to the Bureau dated 5/15/73.

Captioned case is in a pending inactive status in the Philadelphia Division and there are no investigative leads outstanding.

As noted previously, outstanding contempt indictments have been dismissed upon motion by the government as has the indictment of JOHN THEODORE GLICK.

On 6/27/73, the United States Third Circuit Court overturned ELIZABETH MC ALLISTER's conviction on all three counts relative to the letter smuggling and also overturned three of the four counts for which PHILIP BERRIGAN had been convicted.

He is currently on parole for the conviction left standing.

Accordingly, Philadelphia is placing this case in a closed status.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-16-80 BY SP-5

REC-26 100-460495-5647  
EX-110  
11/14/73

- ② Bureau (100-460495)  
1 - Philadelphia (100-51190)

NOV 9 1973

JTB/rav  
(3)



5010-108-02

Buy U S Savings Bonds Regularly on the Payroll Savings Plan

11-16-73

*mal*  
[redacted]  
C. E. Mal-feldt

*Easton*

FREEDOM OF INFORMATION ACT APPEAL TO THE ATTORNEY GENERAL  
BY NORMAN T. OLLERTAD

The following files relating to the Freedom of Information Act (FOIA) appeal of captioned individual were reviewed by Department attorney Richard D. Glovsky, Office of Legal Counsel, in the presence of SA Allen E. McCreight on November 13, 1973:

67-577304 - Section 1  
67-577304 - Section 2

In addition, receipts were obtained by SA McCreight for the following files, which were turned over to the custody of Mr. Glovsky:

77-83472  
94-40524  
100-445893 - Section 3  
100-460495 - Section 37  
7-11777 - Section 32

On 11-15-73, the above files were returned to the custody of SA Allen E. McCreight. Receipts destroyed.

- 1 - [redacted]
- 1 - Mr. Mal-feldt
- 1 - Bufile 67-577304
- 1 - Bufile 77-83472
- 1 - Bufile 94-40524
- 1 - Bufile 100-445893
- ① - Bufile 100-460495
- 1 - Bufile 7-11777

ATM:law (10)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJB/mr

ORIGINAL FILED IN

100-460495-

NOT RECORDED  
172 NOV 22 1973

*SD*  
21 NOV 22 1973



UNITED STATES GOVERNMENT

# Memorandum

TO

DIRECTOR, FBI (100-460495)

DATE: 1/22/74

FROM

SAC, CHICAGO (100-50237) (P)

SUBJECT:

EASTCON  
(OO: Philadelphia)

The Chicago Office currently maintains the cassette and tape recordings of various public speeches and radio appearances made by EQBAL AHMAD, Sister ELIZABETH MC ALISTER, and Father NEIL MC LAUGHLIN, all of whom were defendants in the captioned matter. Transcripts of these recordings were previously furnished to the Bureau and Philadelphia. None of these recordings were obtained through ELSUR sources.

Chicago also maintains a photo album of the EASTCON subjects, which was furnished by the Philadelphia Office in April, 1971.

The recordings and photo album are no longer of any investigative value to the Chicago Office.

## LEAD

### PHILADELPHIA

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RSK/ep

AT PHILADELPHIA, PENNSYLVANIA. Advise the Bureau whether Federal prosecutive action has been completed and all appeals exhausted in captioned matter. Also advise if any reason exists to retain the above described materials.

## Request of the Bureau

REC-45

100-460495-5672

Upon reply of Philadelphia, if appropriate, authorize Chicago to destroy the recordings and photo album described above.

- 2 - Bureau (RM)
- 2 - Philadelphia (100-51190) (RM)
- 1 - Chicago

JAN 24 1974

PLT:nss  
(5)



5010-108-02

Buy U S Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

# Memorandum

DIRECTOR, FBI (100-460495)

DATE: 2/6/74

FROM SAC, PHILADELPHIA (100-51190)(C)

SUBJECT EASTCON

Re Chicago letter to the Bureau and Philadelphia, dated 1/22/74; Philadelphia letter to the Bureau, dated 11/7/73.

In view of the status of this case, Philadelphia feels there is no reason for Chicago to retain the material set out in referenced Chicago letter.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 1234/42

EX-10'

2-Bureau (100-460495)(RM)  
1-Chicago (100-50237)(INFO)(RM)  
1-Philadelphia (100-51190)  
JTB/rmb  
(4)

REC 27

100-460495-5649

16 FEB 8 1974

58 FEB 13 1974



5010-108-02

Buy U S Savings Bonds Regularly on the Payroll Savings Plan



~~SECRET~~

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Philadelphia, Pennsylvania 19107

In Reply, Please Refer to  
File No.

August 26, 1970

FF US 5320

UNKNOWN SUBJECT,  
FATHER PHILLIP BERRIGAN;  
EQBAL AHMAD;  
SISTER ELIZABETH MC ALISTER;  
WILLIAM DAVIDON;  
HENRY KISSINGER -

APPROPRIATE AGENCIES  
ADVISED BY SLIP(S)  
DATE 7-14-77

42 SEP 15 1970 HKS

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 7-16-80 BY SP-5

RECEIVED  
THIS RECORD  
SEP 18 10 32 AM '70

b7D

On August 21, 1970, a confidential source, who has  
furnished reliable information in the past, advised [redacted]

[redacted]

These persons, who are identified as Eqbal Ahmad, William Davidon, and Sister Elizabeth McAlister, are among the leaders in the resistance movement on the east coast relating to anti-war and anti-draft activities. All are or have been closely associated with Reverend Daniel Berrigan and Father Phillip Berrigan. Some individuals are known to be involved with the group known as the East Coast Conspiracy to Save Lives, which have been involved in breaking into draft boards and destroying Selective Service records, as well as breaking into offices of General Electric Corporation in Washington, D.C., in early 1970.

[redacted]

[redacted]

Declassified on  
6/4/77 by 7040  
100 1160-455 -

ENCLOSURE

Encl (4)

UNKNOWN SUBJECT;  
FATHER PHILLIP BERRIGAN;  
EQBAL AHMAD; SISTER  
ELIZABETH MC ALISTER;  
WILLIAM DAVIDON;  
HENRY KISSINGER - VICTIM

On August 25, 1970, source advised [REDACTED]  
[REDACTED]

b7D

Father Phillip Berrigan is a Jesuit priest who gained notoriety as one of the leaders of the Catonsville Nine, a group of persons who destroyed draft records in Catonsville, Md., in May 1968. He is presently serving a six-year sentence for this offense.

Sister Elizabeth Mc Alister is a Catholic nun who teaches at Marymount College in Tarrytown, N.Y. She is extremely active in the resistance movement and has provided much of the leadership for this movement since Berrigan's incarceration.

William Davidon is a professor at Haverford College in Haverford, Pa. He has been arrested on several occasions for violations of local ordinances arising out of anti-war demonstrations.

Eqbal Ahmad is an alien from India currently residing in Brooklyn, N. Y. He took graduate studies in the United States and was an assistant professor at Cornell University from 1965 to 1968. He has been a close associate of Daniel Berrigan and has been a leader in the resistance movement for the past several years.

This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation. It is the property of the Federal Bureau of Investigation and is loaned to your agency; it and its contents are not to be distributed outside your agency.

1 -  
1 -

b6  
b7C

*100-460495-*  
Date: March 26, 1974

To:

Referral/Direct

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5

From: Clarence M. Kelloy, Director

Subject: POSSIBLE COMPROMISE OF CLASSIFIED INFORMATION

Referral/Direct

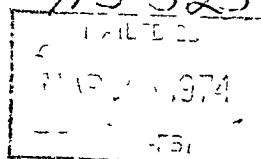
Reference is made to your letter dated

Regarding the information in enclosures two, three, and four, enclosures two and four have been declassified. Regarding enclosure three, the information in paragraph one on page one captioned "Black Panther Proposes Kidnappings of Political Leaders," has also been declassified. The rest of the text of enclosure three should continue to be classified "Secret."

Since the information set forth in [redacted] is set forth in a very general way and has now been declassified, if it is compromised it does not appear that it will damage the national security.

Assoc Dir \_\_\_\_\_  
Dep AD Adm \_\_\_\_\_  
Dep AD Inv \_\_\_\_\_  
Asst Dir \_\_\_\_\_  
Admin \_\_\_\_\_  
Comp Sys \_\_\_\_\_  
Ext Affairs \_\_\_\_\_  
Files & Com \_\_\_\_\_  
Gen Inv \_\_\_\_\_  
Ident \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Plan & Eval \_\_\_\_\_  
Spec Inv \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun \_\_\_\_\_  
Telephone Rm \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

WNP:lm  
(5)



SEE NOTE PAGE TWO

MAIL ROOM

TELETYPE UNIT

70 APR 15 1974

ORIGINAL FILED IN

**NOTE:**

Enclosures referred to in referenced letter that are FBI communications are as follows:

Enclosure two is a "~~Confidential~~" teletype regarding Students For a Democratic Society (Weatherman) to a number of Government agencies as well as the White House dated 10/7/70 which notes that a confidential source advised of an article in a newspaper concerning Weatherman communique #5 as well as information concerning Weatherman threat of assassination of a local South Bend, Indiana, attorney and an FBI Special Agent. The latter information came from an Indianapolis source who is no longer active and this matter was thoroughly investigated in 1970 and its disclosure and declassification will have no effect on the national security. Enclosure three to referenced letter is an FBI racial summary dated 9/22/70 classified "~~Secret~~." As noted in the body of this letter the information concerning the kidnapping may be declassified and if compromised will have no effect on the national security. This has been coordinated with IS-1 Section. Enclosure four is an FBI memorandum dated 8/26/70 concerning Father Phillip Berrigan and others concerning the possibility of a political kidnapping of a Government figure. The confidential source who furnished this information is [REDACTED]

[REDACTED] Departmental Attorney William Lynch was contacted on 3/21/74 and advised that this information could be declassified from "Secret" and that if compromised would have no effect on the national security. The declassification of the original communications of enclosures two, three, and four will be handled separately.

b6  
b7C  
b7D

3-15-74

TO DIRECTOR  
FROM BALTIMORE

DEMONSTRATION SPONSORED BY PHILLIP FRANCIS BERRIGAN TO PROTEST  
BANK LOANS TO SOUTH AFRICA AND RHODESIA, BALTIMORE, MARYLAND,  
MARCH 15, 1974, INTERNAL SECURITY, OO : BALTIMORE.

ON MARCH 15, 1974, A SOURCE WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED THAT A DEMONSTRATION TOOK PLACE IN BALTIMORE, MARYLAND ON MARCH 15, 1974.

THE SOURCE ADVISED THE DEMONSTRATION WAS SPONSORED BY PHILLIP FRANCIS BERRIGAN, A FORMER CATHOLIC PRIEST, WHO WAS CONVICTED OF DESTRUCTION OF SELECTIVE SERVICE RECORDS IN CATONSVILLE, MARYLAND, IN 1968, AND WHO WAS TRIED AT HARRISBURG, PENNSYLVANIA, IN 1972 FOR CONSPIRACY TO KIDNAP A HIGH GOVERNMENT OFFICIAL AND TO DESTROY GOVERNMENT PROPERTY. ELIZABETH MC ALISTER BERRIGAN, WIFE OF PHILLIP FRANCIS BERRIGAN, WHO WAS ALSO TRIED AT HARRISBURG, PENNSYLVANIA IN

END PAGE ONE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RTH/mc

100-46495-

NOT RECORDED

78 MAR 19 1974

55 MAR 26 1974

ORIGINAL FILED IN 105-0-

1972 ON THE SAME CHARGE, ALSO TOOK PART IN THE DEMONSTRATION.

THE SOURCE ADVISED APPROXIMATELY SEVENTEEN PERSONS IN ALL TOOK PART IN THE DEMONSTRATION, WHICH BEGAN AT 10:00 A.M. AT THE MARYLAND NATIONAL BANK, 10 LIGHT STREET, BALTIMORE. THE PURPOSE OF THE DEMONSTRATION WAS TO PROTEST MARYLAND NATIONAL BANK LENDING MONEY TO SOUTH AFRICA AND RHODESIA. THE DEMONSTRATORS CARRIED SIGNS PROTESTING THESE LOANS AND PASSED OUT LEAFLETS. THE SOURCE ADVISED THE DEMONSTRATION ENDED AT 2:00 P.M. THERE WERE NO INCIDENTS OR ARRESTS.



**REPORT  
of the****FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535**

To SAC, Denver (96-415)

Date May 5, 1971  
FBI File No 98-46308  
Lab No D-710419070 HFRe COSAB -  
FUGITIVES

Specimens received 4-19-71

K35 Application for Employment, Search Warrant (consent),  
Receipt of property seized, Voluntary appearance Advice  
of Rights form and an Advice of Rights form each bearing  
known writing of

b6  
b7C**Result of examination:**

The writings on K35 were compared with the  
questioned writings in the captioned case, in the case  
entitled "WEATHERFUG," and in the case entitled "  
 - SM-ANA." No identification was made of the writing on  
K35 with any of the questioned writings in the above-mentioned  
cases.

Specimen K35 has been photographed and is returned  
herewith to the addressee.

TAD:pjb (7)

FROM ☐ TELETYPE UNIT ☐



**FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535**

1 -  b6  
b7C  
1 - Lab File  
(176-1594)

To **SAC, Denver (98-415)**

Date **May 5, 1971**

Re  
**COSAB -  
FUGITIVES;  
OO: Denver**

*File 100-460475*  
*J. Edgar Hoover*  
John Edgar Hoover, Director

FBI File No  
Lab No ~~98-48302~~  
**D-710419070 H**

Examination requested by **Denver**  
Reference **Airtel 4-16-71**  
Examination requested **Document**  
Remarks

*CONFIDENTIAL*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-10-80 BY SP-5 RJB/mc

Enclosures (3) (K25, 2 Lab report)

1 - Bufile (176-1594)  
1 - Bufile (100-460495)

*100-460475*  
**NOT RECORDED**  
**MAY 7 1971**

☐ Mr. Tolson  
☐ Mr. DeLoach  
☐ Mr. Mohr  
☐ Mr. Bishop  
☐ Mr. Casper  
☐ Mr. Callahan  
☐ Mr. Conrad  
☐ Mr. Felt  
☐ Mr. Gale  
☐ Mr. Rosen  
☐ Mr. Tavel  
☐ Mr. Walters  
☐ Mr. Soyars  
☐ Tele. Room  
☐ Mr. Holmes  
☐ Miss Gandy

**DUPLICATE YELLOW**

**62 MAY 12 1971**  
**MAIL ROOM** ☐ **TELETYPE UNIT** ☐

**ADMINISTRATIVE PAGE**

**ORIGINAL FILED IN**

UNITED STATES GOVERNMENT

# Memorandum

TO DIRECTOR, FBI (100-460495)

FROM SAC, CHICAGO (100-50237) (C)

SUBJECT EASTCON

DATE 4/12/74

(OO: Philadelphia)

Re Chicago letter to Bureau dated 1/22/74;  
Philadelphia letter to Bureau 2/6/74.

Chicago requested Bureau authorization to destroy the recordings of public speeches by various defendants in captioned matter and a photo album of the defendants which are no longer of investigative value. The Philadelphia office has indicated that it is not aware of any reason to retain this material.

Chicago will retain this material unless the Bureau authorizes their destruction.

*Chicago letter dated 1/22/74  
to Bureau regarding  
this material*

*1*

ALL INFORMATION CONTAINED  
HERE

DATE 7-16-80 BY SP-5 [signature]

REC-47

INLET WIDE DIA  
EX-112

- ② - Bureau
- 1 - Chicago

PLT/lsh  
(3)



5010-108-02



1974

Buy U S Savings Bonds Regularly on the Payroll Savings Plan

*[Handwritten signature]*

1 -   
1 -   
1 - Mr. Stangel

b6  
b7c

5/3/71

CODE

TELETYPE

IMMEDIATE

TO SACS BOSTON (52-6636)  
PHILADELPHIA (100-52128)

FROM DIRECTOR FBI (100-460495)

SM - ECCSL (MEDBURG SUSPECT);

OO: BOSTON.

REFERENCE PHILADELPHIA TELETYPE MAY THREE INSTANT.

*JD*  
DUE TO CHARACTERISTICS IN QUESTIONED HAND PRINTING ON  
Q-FORTYEIGHT AND Q-FORTYNINE IN MEDBURG WHICH COULD NOT BE  
EXPLAINED ON THE BASIS OF HAND PRINTING ON SPECIMENS NUMBER FOUR  
AND NUMBER TWENTYTWO SUBMITTED BY PHILADELPHIA WITH LETTER  
APRIL TWENTYSEVEN SEVENTYONE ENTITLED  ET AL.;  
SSA - DGP, CONSPIRACY," IT COULD NOT BE DETERMINED WHETHER  
 DID OR DID NOT PREPARE THIS QUESTIONED HAND PRINTING.  
SOME DIFFERENCES WERE NOTED IN SUBMITTED HAND PRINTING OF  
 WHEN COMPARED WITH QUESTIONED HAND PRINTING IN MEDBURG.

LABORATORY REPORT FOLLOWS.

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

*eh 654/p*  
MAY 3 1971

TELETYPE 52-94527

DES: su (6)

Tolson \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Bronnan C D \_\_\_\_\_  
Callahan \_\_\_\_\_  
Casper \_\_\_\_\_  
Conrad \_\_\_\_\_  
Dalbey \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tavel \_\_\_\_\_  
Walters \_\_\_\_\_  
Sovars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

58 MAY 12 1971

MAIL ROOM ☐

TELETYPE UNIT ☐

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RJA/1480

MAY 5 1971

100-460495  
NOT RECORDED  
201 MAY 7 1971

100-463065-1  
JF

F B I

Date 4/28/71

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL \_\_\_\_\_  
(Priority)

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

TO: DIRECTOR, FBI (100-460495) <sup>100-46313</sup>

FROM: SAC, WFO (100-52299)

EASTCON

SM-MISC (ECCSL)

Re New York nitel 4/23/71, dual caption as above.

Enclosed for New York are the photograph, arrest report and arrest card for [redacted] born [redacted] in [redacted] reflecting he was charged with Disorderly Conduct on 4/5/71, rather than 4/11/71. No disposition of the charge has been made.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-16-80 BY SP-5 RWH/uc

- 1cc 918-D  
1cc destroyed
- ③ - Bureau (100-463132) [redacted]
  - 3 - New York (100-168839) (Enc. 3) (RM)  
(1-100-171717) [redacted]
  - 2 - Philadelphia (100-51190) (RM)
  - 2 - WFO  
(1-100-53429)

PHV:jmg  
(10)

100-460495-  
NOT RECORDED  
201 MAY 7 1971

Approved

Special Agent in Charge

Sent

M

Per

53 MAY 11 1971

100-463132-13

FBI

Date 4/28/71

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, BALTIMORE (100-28265) (P)

SUBJECT: BALTIMORE COMMITTEE FOR THE  
 DEFENSE OF THE HARRISBURG SIX, aka  
 Defense Committee  
 530 East 22nd Street,  
 Baltimore, Maryland  
 IS - MISCELLANEOUS  
 EASTCON

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 7-16-80 BY SP-5 [signature]

The Baltimore Committee for the Defense of the  
 Harrisburg Six was formed in 2/71 for the purpose of  
 obtaining funds for legal fees, arrange speaking engage-  
 ments and to function as headquarters for the 10,000  
 defendants:

b6  
 b7C  
 b7E

100-460495-  
NOT RECORDED

50 MAY 2 1971

③ Bureau  
 2-Baltimore  
 JED: [unclear]  
 (5)

CARBON COPY

ORIGINAL FILED IN 100-

51 MAY 1 1971

Approved: [signature] Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

TO Director  
Federal Bureau of Investigation  
Attention: Office of Legal Counsel

DATE July 2, 1974

FROM Henry E. Petersen  
Assistant Attorney General  
Criminal Division

SUBJECT Sister Elizabeth McAlister, et al. v. Richard G.  
Kleindienst, et al. (E.D. Pa.) Civil Action No. 72-1977

Please find enclosed herewith for your files in the subject case a copy of the Third Circuit's order and opinion, which was filed June 26, 1974, affirming the lower court's decision to deny the plaintiff McAlister's motion to vacate a protective order entered in the companion criminal action.

Enclosure

ENCLOSURE

ENCLOSURE ATTACHED

ENCLOSURE ATTACHED

REC-71/00-46042-5657

20 JUL 3 1974

EXP. FILED  
JUL 3 1974

JUL 17 1974

U.S. DEPARTMENT OF JUSTICE

DATE 10/15/54

# EVIDENCE

FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C.



100-110496-5631



for the United States

No. 73-6104

UNITED STATES OF AMERICA

vs.

EQUAL ARAD, PHILIP BERRICAN, JOHN  
THEODORE CHIS, ELIZABETH MALISTER,  
HEIL POLANSKY, ANTHONY SCOPPIO,  
MARY GAIN SCOPPIO, JOSEPH W. DEL CASH

Elizabeth Malister, Appellant

William Davidson, Intervenor

(D. C. Criminal No. 14950)

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Present: VAN DUSEN, WEIS and GARTH, Circuit Judges.

### JUDGMENT

This cause came on to be heard on the record from the United States District  
Court for the middle District of Pennsylvania  
and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this Court  
that the judgment of the said District Court, entered October 24, 1973,  
be, and the same is hereby affirmed. Costs taxed against appellant and  
intervenor.

ATTEST:

T. P. Quinn, Clerk

1974, 24, 1974

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 73-2094

UNITED STATES OF AMERICA,  
Appellee

v.

EQBAL AHMAD  
ELIZABETH McALISTER, et al.  
ELIZABETH McALISTER,  
Appellant

WILLIAM DAVIDON,  
Intervenor

APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(D.C. Criminal No. 14950)

Argued April 3, 1974

Before VAN DUSEN, WEIS and GARTH, Circuit Judges

Jack J. Levine, Esquire  
1427 Walnut Street  
Philadelphia, Pa. 19102

William Bender, Esquire  
175 University Avenue  
Newark, New Jersey 07102  
Attorneys for Appellant and  
Intervenor

Henry E. Petersen, Esquire  
Assistant Attorney General

S. John Cottone, Esquire  
United States Attorney

Edward S. Christenbury, Esquire  
Garvin L. Oliver, Esquire  
Larry L. Gregg  
Department of Justice  
Washington, D. C. 20530  
Attorneys for Appellee

OPINION OF THE COURT

(Filed

JUN 26 1974

)

WEIS, Circuit Judge.

During the pretrial stages of a criminal case in the Middle District of Pennsylvania in which she was a defendant, <sup>1/</sup>Elizabeth McAlister, now Mrs. Philip Berrigan, learned that she may have been overheard by electronic surveillance. Judge P. Dixon Herman, who presided over the case, found that there had been an unauthorized and illegal wiretap. <sup>2/</sup>A taint hearing was held in May, 1972, after the criminal trial had been concluded. Transcripts of two conversations were made available to two of the then defendants, McAlister and Philip Berrigan, as well as counsel of record, in accordance with a protective order to which the parties agreed. The stipulation and order read:

/S/ R. Dixon Herman  
United States District Judge  
May 1, 1972"

On October 10, 1972, a suit was filed in the Eastern District of Pennsylvania by McAlister and one William Davidon against Richard D. Kleindienst, then Attorney General of the United States, L. Patrick Gray, then Acting Director of the FBI, John N. Mitchell, former Attorney General, and several named and unnamed agents of the FBI. The complaint alleged in essence that Mrs. Berrigan and Davidon were the subjects of illegal wiretaps and that they claimed damages in accordance with, inter alia, the provisions of 18 U.S.C. § 2520,<sup>3/</sup> which permits recovery of civil damages and counsel fees in such situations.

The civil case was assigned to Judge F. Mac Troutman for disposition. The defendants then asserted that they were unable to answer all of the allegations of the complaint because they were bound by the protective order and the stipulation filed in the criminal case in the Middle District. To resolve the impasse, Mrs. Berrigan and Davidon jointly filed a petition with Judge Herman in the Middle District seeking to vacate the protective order. After consideration of briefs filed by the parties, Judge Herman on October 24, 1973 refused to lift the

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<sup>3/</sup> "Any person whose wire or oral communication is intercepted disclosed, or used in violation of this chapter shall (1) have a civil cause of action against any person who intercepts, discloses, or uses, or procures any other person to intercept, disclose, or use such communications, and (2) be entitled to recover from any such person --

(a) actual damages but not less than liquidated damages computed at the rate of \$100 a day for each day of violation or \$1,000, whichever is higher;

(b) punitive damages; and

(c) a reasonable attorney's fee and other litigation costs reasonably incurred.

"A good faith reliance on a court order or legislative authorization shall constitute a complete defense to any civil or criminal action brought under this chapter or under any other law."

protective order. Mrs. Berrigan filed a notice of appeal in the district court on November 15, 1973, after having been granted an extension of time by Judge Herman.<sup>4/</sup>

Davidon did not file a notice of appeal but on January 18, 1974, requested leave to intervene as an appellant in this court. The motion was granted, and Davidon adopted the brief filed by Mrs. Berrigan.

Since Davidon did not appeal the order as it applied to him, we consider the merits of this case only as applied to Mrs. Berrigan. In the peculiar circumstances here, Davidon's intervention is necessarily limited. He cannot circumvent the requirements for taking an appeal in his own right by a later petition for intervention in an effort to present contentions applicable only to him.<sup>5/</sup>

Mrs. Berrigan asserts that the practical effect of Judge Herman's order is that the plaintiffs in the civil suit will be unable to proceed because it is unlikely that Judge Troutman will order the defendants in his court to file an answer which would be in violation of the protective order previously filed in the Middle District.<sup>6/</sup>

---

<sup>4/</sup> It is questionable whether such an extension was required. Although the petition was filed under the criminal case caption, the order really applied to a civil, collateral matter. See *Olympic Refining Co. v. Carter*, 332 F. 2d 260 (9th Cir. 1964); Fed. R. App. P. 4.

<sup>5/</sup> Nor did Davidon utilize a petition for mandamus, the procedure followed in *Ex parte Upperco*, 239 U.S. 435 (1915) and in *Olympic Refining Co. v. Carter*, *supra*.

<sup>6/</sup> On September 12, 1973, Judge Troutman signed an order granting the motion of the plaintiff to compel the defendants to answer within 30 days. By agreement of counsel at a later date, that order was stayed pending the determination of this appeal.

However, at oral argument on this appeal, counsel for the defendants conceded that they could answer the complaint of Mrs. Berrigan to admit that she was overheard as a result of a surveillance conducted without the authority of court order. Since Judge Herman found there were two such conversations intercepted in the period from November 24, 1970 to January 6, 1971<sup>7/</sup> and that they were illegal, there is nothing to prevent such admissions by the defendants. These facts were reported in the written opinion of the district court after the taint hearing had been concluded, and thus, there is no disclosure problem.

At this stage of the litigation, therefore, there has been no need shown to have the protective order lifted as to Mrs. Berrigan.<sup>8/</sup> The concession of the defendants in this court that they can, and therefore must, file an answer, will enable her to present a prima facie case of an illegal overhearing on two separate occasions. Thus, Judge Herman's order will be affirmed on the basis that no need exists at this point to vacate the protective order.<sup>9/</sup>

We recognize, however, that there may well be further requests to dissolve or modify the protective order and think it appropriate, therefore, to comment on the grounds relied on by the Middle District in its Memorandum of October 24, 1973.

---

<sup>7/</sup> See 347 F. Supp at 934.

<sup>8/</sup> See discussion *infra* on the balancing of a litigant's need for information against the government's desire to protect it. As the Supreme Court noted in *United States v. Reynolds*, 345 U.S. 1, 11 (1953), "... where necessity is dubious, a formal claim of privilege ... will have to prevail."

<sup>9/</sup> If in the future any need should arise for a modification of the stipulation, another application can be presented to Judge Herman.

The district court took judicial notice of an affidavit filed by then Attorney General Mitchell on May 13, 1971 which asserted that the surveillance was "one deemed necessary to protect against a clear and present danger to the structure or existence of the Government of the United States" and that " . . . it would prejudice the national interest to disclose the particular facts contained in the sealed exhibit."<sup>10/</sup> The court took no position on the justification for the government's desire for secrecy but accepted the Attorney General's affidavit at face value.

The difficulty with this position is that what may have been justified in May of 1971 (on the record of this case we are unable to pass any judgment on that point) is not necessarily so today. The passage of time has a profound effect upon such matters, and that which is of utmost sensitivity one day may fade into nothing more than interesting history within weeks or months. Any considerations of national security interests therefore must be viewed in the light of circumstances as they exist at the time the request for disclosure is made - not when the affidavit was prepared or the material filed with the court.

When governmental privilege is invoked to prevent disclosure of information during the course of litigation and a need for the data is shown, disposition of the dispute requires a balancing of the interests. The needs of a party to secure information necessary to the prosecution or defense of a civil remedy expressly granted by Congress must be weighed against the government's position that it should not divulge

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<sup>10/</sup> The sealed exhibit contained a description of the premises and transcripts of overheard conversations. (Appendix at 10A)

that which would be injurious to the public security. Obviously, such a process requires a careful inquiry into the pertinent facts.

The government's privilege is a necessary one, but it is one which may be overcome by a citizen's right to secure desired information. In determining whether the privilege is to prevail, a court is faced with a delicate task. As the Supreme Court pointed out in United States v. Reynolds, supra, at 8:

"The court itself must determine whether the circumstances are appropriate for the claim of privilege, and yet do so without forcing the disclosure of the very thing the privilege is designed to protect." (footnotes omitted)

In carrying out such an assignment, the in camera techniques employed in Jabara v. Kelly, 42 U.S.L.W. 2528 (E.D. Mich., March 21, 1974), and Philadelphia Resistance v. Mitchell, (Civil No. 71-1738, E.D. Pa., August 3, 1972), may be helpful.

It is difficult to set out adequate guidelines in advance for such an inquiry as proposed here because the facts loom so large. All that can be said is that the necessities of the civil litigation and the policy of the Federal Rules of Civil Procedure favoring broad disclosure require that there be serious and well-founded concern about national security before all disclosure is prohibited. In United States v. Reynolds, supra, at 11, the court said:

"In each case, the showing of necessity which is made will determine how far the court should probe in satisfying itself that the occasion for invoking the privilege is appropriate. Where there is a strong showing of necessity, the claim of privilege should not be lightly accepted, but even the most compelling necessity cannot overcome the claim of privilege if the court is ultimately satisfied that military secrets are at stake. A fortiori, where necessity is dubious, a formal claim of privilege . . . will have to prevail."

---

11/ For discussion of the privilege, see Wright & Miller, 8 Federal Practice and Procedure: Civil § 2019.



It may well be that the defendants in the civil case will be those who next seek to have the order lifted because of the possibility that the Eastern District will exercise the broad default powers conferred by Fed. R. Civ. P. 8(d) and 37(b)(2). See the procedures followed in United States v. Reynolds, 10 F.R.D. 468 (E.D. Pa. 1950), <sup>12/</sup>aff'd. 192 F. 2d 987 (3d Cir. 1951). Indeed, we feel it should have been the defendants who presented the petition to the Middle District in the first instance. The plaintiffs' proper posture was to insist upon a default being entered in the Eastern District, thereby shifting the burden to the defendants to secure a relaxation of the Middle District protective order.

The order of the district court will be affirmed.

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<sup>12/</sup> The case was reversed on its merits, not on the procedures employed, by the Supreme Court in 345 U.S. 1 (1953)

See note 5, supra.

---

TO THE CLERK:

Please file the foregoing opinion.

---

Circuit Judge

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 19 1971

*Dsw*  
TELETYPE

NR003 AL CODE

URGENT 4-19-71 BAG

TO DIRECTOR

RICHMOND (100-11335)

PHILADELPHIA

FROM ALBANY (100-22062)

"CHANGED" [REDACTED] SM-ANA (EASTCON), MEDBURG.

RE BUREAU AIRTEL TO RICHMOND, APRIL SEVEN, LAST, CAPTIONED

[REDACTED] IS A CLOSE ASSOCIATE OF  
PRIME SUSPECT [REDACTED] (OO: NY)

FOR INFORMATION OF BUREAU, PHILADELPHIA, AND RICHMOND, ALL  
INVESTIGATION ALBANY DIVISION INDICATES CORRECT SPELLING OF  
SUBJECT'S NAME IS [REDACTED] ALBANY REPORT BEING SUBMITTED  
FORTHWITH. P.

END

PLB FBI WA CLR

NOT RECORDED

152 APR 21 1971

APR 20 1971

CC-MR. ROSEN

Mr. Tolson \_\_\_\_\_  
Mr. Belmont \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. DeLoach \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Gale \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tavel \_\_\_\_\_  
Mr. Walters \_\_\_\_\_  
Mr. Soyars \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

*Shelley 4*  
*Griffith*

b6  
b7c

100-460495-

Date 1/1/71

b6  
b7c

To ☒ Director

BUFILE 100-460495

Att DOM. INTELL. DIV.

CVFILE 100-30822

ATTN: SUPVR. [redacted]

Title ECCSL, IS-MISC.; DGP;

☐ SAC RM. 908

☐ ASAC 9th & D BLDG. KIDNAPPING; SABOTAGE-

☐ Supv CONSPIRACY

☐ Agent

☐ SE East Coast Conspiracy to Save

☐ IC RE CV TELCALL TO BUREAU, <sup>LIVE</sup>

☐ CC 12/30/70.

☐ Steno

☐ Clerk ☐ Rotor #

ACTION DESIRED

☐ Acknowledge

☐ Open Case

☐ Assign Reassign

☐ Prepare lead cards

☐ Bring file

☐ Prepare tickler

☐ Call me

☐ Return assignment card

☐ Correct

☐ Return file

☐ Deadline

☐ Search and return

☐ Deadline passed

☐ See me

☐ Delinquent

☐ Serial #

☐ Discontinue

☐ Post ☐ Recharge ☐ Return

☐ Expedite

☐ Send to

☐ File

☐ Submit new charge out

☒ For information

☐ Submit report by

☐ Handle

☐ Type

☐ Initial & return

☐ Leads need attention

☐ Return with explanation or notation as to action taken

ENCLOSED ARE 38 SELF IDENTIFIED XEROXED PAGES  
OF OHIO BELL TELEPHONE CO. SECURITY LISTS WHICH  
CONTAIN INFO RE PERTINENT ECCSL TELEPHONE NUM-  
BERS. THE PAGES ARE GROUPED BY INDIVIDUAL PHONE  
NUMBERS & EACH CALL IS MARKED IN BLUE

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11-36-79 BY SP-5

*cpie*  
SAC CHARLES G. CUSICK

See reverse side

Office CLEVELAND  
DRH

100-460495-

ENCLOSURE  
ENCLOSURE ATTACHED

58 JAN 23 1971

NOT RECORDED  
25 JAN 23 1971

## memorandum

DATE 8/15/79

RECEIVED  
ATTN: SAC, PHILADELPHIA (100-51190)SUBJECT EAST COAST CONSPIRACY TO SAVE LIVES  
(ECCSL)

TO:

DIRECTOR, FBI (100-460495)  
ATTENTION: RECORDS MANAGEMENT DIVISION;  
ELSUR INDEX, ROOM 4448

*See*

This file has been stamped on the cover with the word "ELSUR" and a tickler made for review ten years after it has been closed or RUC'd, in accordance with Bureau instructions in Bureau airtel 3/12/79.

This file contains either tapes, logs, transcripts, related records, Title III matters or consensual tape matters and is being maintained beyond the established destruction period.

Pursuant to instructions contained in Bureau letter 5/8/78 captioned "Destruction of Files and Records," this letter is to serve as justification for retaining the file beyond the established destruction period.

- ① - Bureau (100-460596)  
2 - Philadelphia  
1 - 66-6740  
1 - Case file (100-51190)

100 - 460495 -

RCK:EMR  
( 3 )

NOT RECORDED

17 AUG 29 1979

F.L.C.

b6  
b7C

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

OPTIONAL FORM NO 10  
(REV 7-76)  
GSA FPMR (41 CFR) 101-11.6  
5010-112

AUG 13 1984

64 NOV 7 1979

279

# Memorandum



Exec AD Adm \_\_\_\_\_  
Exec AD Inv \_\_\_\_\_  
Exec AD LES \_\_\_\_\_  
Asst Dir \_\_\_\_\_  
Adm Servs \_\_\_\_\_  
Crim Inv \_\_\_\_\_  
Ident \_\_\_\_\_  
Intell \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun \_\_\_\_\_  
Plan & Insp \_\_\_\_\_  
Rec Mgnt \_\_\_\_\_  
Tech Servs \_\_\_\_\_  
Training \_\_\_\_\_  
Off of Cong \_\_\_\_\_  
& Public Affs \_\_\_\_\_  
Telephone Rm \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

b6  
b7C

To [Redacted] H/r  
From [Redacted] H/r  
Subject EASTCON

Date June 19, 1985

**PURPOSE:** To submit all work requested of the Special Projects Section in connection with the above-captioned case.

**RECOMMENDATION:** That this memorandum and its enclosures be placed in the Bureau file.

APPROVED

Adm Servs \_\_\_\_\_  
Crim Inv \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun \_\_\_\_\_  
Off of Cong \_\_\_\_\_  
Public Affs \_\_\_\_\_  
Ident \_\_\_\_\_  
Mgmt \_\_\_\_\_  
Tech Servs \_\_\_\_\_  
Training \_\_\_\_\_

Director

Exec AD Adm \_\_\_\_\_  
Exec AD Inv \_\_\_\_\_  
Exec AD LES \_\_\_\_\_

**DETAILS:** All work requested of the Special Projects Section in captioned case has been completed. Therefore, the following items are being submitted for inclusion in Bureau file should they be needed for further reference:

1. Original artwork (prints and copies).
2. Reference material
3. Memo tickler dated 12/13/71.

All work requested of the Special Projects Section in the above-captioned case was handled by Visual Information Specialist

[Redacted]

Enclosures  
100-460495

HJH: [Redacted]  
(2)

100-460495-3652

20

12- [Redacted] [Redacted]

MAR 17 1986 RKS

ENCLOSURE

100-460495-5652

# NOTICE

DOCUMENT CANNOT BE SCANNED

DESCRIPTION

Negatives

George H. Menzel

X 2638

R902.940

Wilmington, Dover, Georgetown Spatted  
Rd mileage between spatted cities



NOTES OF Mon. May 24<sup>th</sup> Two interviews today: one with a Virginian with excessive antipathy for intense top pressure - another with a New Yorker, here for a while, and apparently responding to rehabilitative process. To be a bunch of gaff for the heady life of the fuge. Will try to hint down Peter later to see if he has news, or has not brought in news. Sunday, the inmates hit us with the news that Peter was a courier of contraband, and that they were looking to arrest him. Naturally, caution resulted. Some more irregular channels. The flow is mostly one way - he is confident of getting things out, but has gotten nothing in for it over a while. But the inmates believe that he is a very complete, forward - just have little to consider. We are the sort of community efforts, and pulling for them with all possible strength. Now later. Suggest you keep your regular stuff in. It is a more and more bleak regarding inflexibility outside the small today, but no openings. The back keeps an eagle eye and is. Earthshaking sentiments for you - prayer, too. Now, later. Have just been working as a cadet, and abandoned it at discretion. But will continue to put mind to it. Suggest that we have better system evolved. Call Peter once a week and have him talk in a letter. And if there is something to write via irregular channels do that in a very business-like fashion. Some personal stuff for a long time. All this is an official impotence and sort of guess, revolutionary discipline. But then all that you are ordinarily concerned, with all the things you have to do. That

... is a ... and to look

less of a problem. More notes tomorrow. These are notes for Tice.  
 May 26<sup>th</sup>. Strikes me that yesterday's notes are somber and  
 dead, Sorry, cousin! Your letter of Sat. the stimulus I needed.  
 And then Fred's advent. Plus some of the young guys here - extra  
work and more - sit in on the rape - can them, bank with them, and  
old and experienced come for all of their young aghs. They are a  
considerable personable, funny, dislike of us. But not enough  
important they add to our movement. We hope before we leave  
here, we have them started on an investigation of life - we intend  
well, put their obvious talents at our disposal. It is a long  
shot, but not unlike ly. (New paragraph) As for our Peter, he is  
more and more in mesh with the idea of being of service to the  
cause, some likely people from the area, as that for the position on  
the road before the real idea from some like of the road  
and from other things that will be put together in  
that it will be other that will try it soon. (New paragraph) Now  
more and more in mesh with the idea of being of service to the  
cause, but I don't remember the whole experience. Even the the whole  
idea of being of service to the cause - or when one is in the middle  
of it, up with all the marks of the rainbow. But everything you are all  
about it is accepted. So the fine burns are more in the middle, are  
not likely to be banked or extinguished. (New paragraph) Now  
more and more in mesh with the idea of being of service to the  
cause, but I don't remember the whole experience. Even the the whole  
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of it, up with all the marks of the rainbow. But everything you are all  
about it is accepted. So the fine burns are more in the middle, are  
not likely to be banked or extinguished. (New paragraph) Now  
more and more in mesh with the idea of being of

Letter to Sis

8.22-70

THE LIFE ON EFFICIENCY OF GROUP THERAPY  
IN THE AFTER D - TREAT

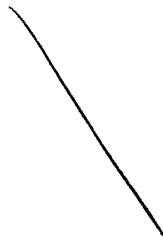
It is a relationship which seems to be a kind of  
a group therapy on the part of group members  
to have some kind of personal contact with one another  
another the steps in the direction of a  
settling in and accepted as one another, as well as an  
of possibility to discuss weighty questions

The first information received to bring back, find memories. A  
week at a "conference" must be held on a "with the Captain there)  
and the other - but he determined and practically resolved.  
He did not seem to see the personal aspects of it in the same  
relish, as though to say - "Er' you got a thing, you?" Just like Martin  
King said - "He wanted a confession, and I laughed at him and told him  
he had no evidence (he hadn't caught the charge with it) then I picked his  
bones for a while, and he got furious. I told him if he had suspicions  
about you and me that he should drop your privileges after I wrote you  
taking full blame for the mess. He said that wouldn't be necessary. The next  
day he accepted the charge telling him I had confessed everything. After that  
failed, he suspended your privileges and put me under "heat" which I allowed  
to develop until I had enough on him to pull the chain. (And he took a very  
bad whipping on the intercom. He appeared as the consequences, he is  
scorned - I caught him in at least three flagrant lies. In a sense, you  
exposed him that and he could do nothing but hate you for it. Because I'm  
convinced he got your letter. When anyone plays to his ego and gives him the  
illusion that he has control, that he will play plantation over me, maintaining  
a saccharine tolerance. But call his bluff and he acts to be a school rat.  
The warden says this, and assumed more and more control of the discussion,  
until at last he said made less and less sense. Several members came  
in that he had given you a tough time to go, but didn't know to what ef-  
fect. So a real education - the days at the top, Nixon met with it all well

11-10-70 + . . . 1/24



7



(21)  
and we're a union of 4 or 5 men partly tired of war, all on the part  
of the war - and we're all very glad to see you, and counting that the  
best of the war is over, you still remained (New par) I'd like an en-  
dless strike for the sake of the war. There were some in the strike  
in the strike, but no strike, and no organization. It's very good,  
the strike is just a strike and I'd like to see the strike next  
time as there would be more likely to get 2 from you via regular channels  
in addition to the heavy one. Does you 'What can I say?' (New par) I don't  
know precisely how to answer it. I presume you refer to a strike back here  
after a separation with the strike. Unless the new piece of paper is unusual  
potential, it will be partial to that. I don't see it, there's no overriding  
reason why it should be together longer than a couple of months. Our  
approaches to the movement are quite different. I am a superior propa-  
gandist, and don't incomparably well. But I have different views about  
priorities.  
p.s. you know then in #10 you make reference to 'coming  
out' as I ought to have told you before, I would come out only if the movement  
is much more than it is now - I mean generally, not our crowd - or if it  
became clear that the kids would stick firm with the boys but which  
would mean another 34m or so from this viewpoint, that would be absurd,  
and I'd take my chances of resisting it. You know if there's no reduction  
in the offering, there's a good chance that national legislation will be passed  
in the fall which ought to be a lot of help with the strike. It's best to have one way or another (New par) I don't know what  
effect some position & more has had on our people. I would like to think  
it had none, which is to say, you're right, so well founded will  
you permit me a little compliment, but the big difference rests largely  
with your coming in. But you permit another observation? My affinity  
for you was not lost, personal - I would have been a fool to ignore  
what you had to offer to revolution. To speak of you was to speak of your own  
freedom and your comparative generosity and your love of the Book  
of Jesus. I'm sure of that, and one merely had to give it time. And  
when there is a war, as we can learn from you - that's why I want  
all men to be in the hands, and get my head together in an atmosphere of

SECRET

SECRET



SECRET

(3) where I can get several kinds of education - not just philosophical or ideological. But the Communist thing, & the Eucharist, and the kind of secrecy that we've had before, and which has taught me so much. (New par) It occurs to me also that you might refer (in #12) to a confab with Sam about widening the inner circle. To be precise, I've thought a bit about this since a move to Dumbury came on the horizon. And decided against it, that is, telling him alone. It strikes me that we should announce this new development of sacrament together, or not at all. In any event, you can clear up my confusion about #2 when you come to Dumbury. I hear that visiting is much more human there, more frequent etc. (New par) Now we come to #3. Just between you and me, I have never been overmuch impressed w/ Eg. He's dear friend, very helpful in the last months, lovely guy, good ideologue, but still to produce. I think the role of man from Meisner is the superlative one with him (I have this terrible suspicion regarding academics) With few exceptions, the K. stands well let others go to the gallows in that a serious manner they did it in Germany and they're doing it here. And E is from that strain. You see love, the belief isn't there - Strong fellow at least but lacks in some things. But there are more reservations - I'd be delighted to be wrong (New par) About the plan - the first time opens the door to murder - the Tupamaros are finding that out in Uruguay - I hope you're following them (Can't 2 assess w/ the Guardian). When I refer to murder it is not to prohibit it absolutely (violence against non-violence bag) it is merely to observe that one has set the precedent, and that later on when god's resistance to this sort of things offends men will be killed. Move to the point, the project as you outlined it is brilliant, but grandiose. I've found with better expense that when people opt for too much, they're either stupid or egotistical (another not right about friend ~~David~~) which is to say that grabbing the gentleman will take a force of perhaps 10 of your best people - guarding him, getting communications out, perhaps moving him 2 or 3 times within the week. Now, in addition, to ~~the~~ <sup>grat</sup> a prosecution of liberals involved take 10/10

8/24/70  
Don



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3

1



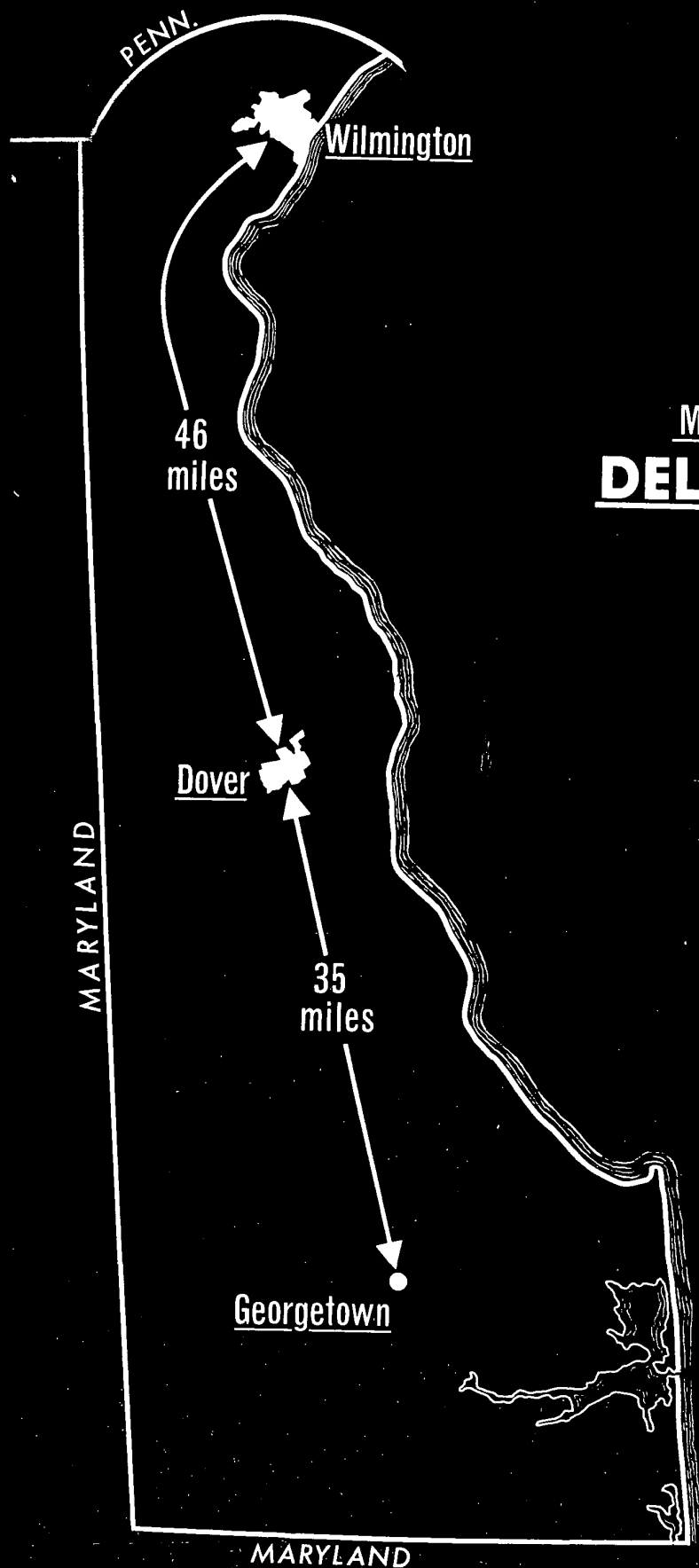
(H) dozens more, making the network too wide. But even if that were possible, how can it be guaranteed that they would infect him in any sort of real fashion? Then too, the common view is that it is the architect of honorable withdrawal from S. E. Asia, and even some of the liberals believe that. Have to get the truth out, i.e., that the economy is in a war, and it might as well be there as elsewhere, and that we intend to stay. That might mean a Korean type answer, but then we'd have to hot it up elsewhere. Or go into the dilemma of more serious recession, rising unemployment at home. This is what should be gotten from K, but can the liberals do it? (New par) None the less, I like the plan and am just trying to weave elements of modesty into it. Why not coordinate it with the one against Capital utilities - you should talk more thoroughly with the charge about this, or with Little Shane or Big Joe Zerman. To disrupt them, and then grab the Brain Child - This would be escalation enough. (New par) This comes off the top of my head. Why not grab the Brain Child, treat him decently, but tell him nothing of his fate - or tell him his fate hinges on release of pol people or cessation of air strikes in Laos. Then have batteries of movement people - Brain Child blindfolded - engage him on policy. After he has been taught (the consideration of his safety will make him more and more human in his answers) get it filmed and recorded. One thing should be implanted in that pea brain - that respectable murderers like himself are no longer inviolable. (This should be done just before release.) And that if he doesn't work to humanize policy, the likes of him will be killed by less scrupulous people. Finally, that political prisoners are the best guarantee of his sweet skin's safety, and that he better get them out of jail. (New par) Taken along these lines, you have both a material and personal confrontation with the warmakers. The trick to pull off is to hit them, very, very hard without giving them violence to react to, or justify themselves with. (New par) He can be kept blindfolded, and participants can wear stocking masks & disguise their voices. It can be done and brilliantly. (New par) I would see Eg on it immediately, but tie it in with the D.C. 8/24/70

4

63  
fear, as it keeps his imagination under ropes. If the understatement in our  
best people is necessary, and if they're caught - there's a human  
miserable. It sounds like a life (but this is a far. to. the com-  
sidered (Newman) knowing all as yet could. I would be 2 or 3 mos  
discreet. I would imagine that he would have done in his  
can to call for police assistance at the slightest danger. The thing to do  
is find out where he goes for meals, or where he shakes up - if  
he shakes up (Newman) I don't think E. can build his own team on this. He'll  
probably need help. But a sense of both ideas and modesty should be kept on  
him. For the more, I don't think he'd be the easiest guy to work with. Mind you,  
the criticism comes with love for the guy, with gratitude for the past  
months, and with a recognition of his intelligence and talent. I don't see  
good - a few examples there - but perhaps these have already been ironed  
out. (Newman) Just read your two letters (15th & 16th) over. They're not dull  
at all. You come through beautifully, if with restraint. And I get all  
the immediate and delight in them. You're too big for humanity, <sup>Chum</sup> ~~there~~,  
which means I'll have to grow in order to compete. I am. As well the  
(year ago)  
I'm in question - how you read the manifesto to me - thought that was  
superb. You've accepted the women's lib thing, and with complete justice  
went from there, and went on to even more serious positions. Outstanding  
the recovery you made from a bit of a summer in Europe and the summer  
in England. (Newman) I'm writing this on the Aug 21 - the last'll be a lot of isolated  
stuff. The President will be a good bag and, but I'm not sure. You're not sure to  
a year or two away. Don't know what to say regarding. He's not sure the g-  
it might move in the fall, but he might not. Oswald's father is  
supposed to be doing some work with them - but he's an eccentric,  
unpredictable type. Elaine says that Carol & Jerry have gotten to San  
this week. I don't expect I can't have great difficulty in getting Norton on  
the visiting trip, but if you do, manage to get word to me. For that  
matter, you can send me about it. (Newman) I'm afraid that the  
way the OEA has been with you, is contrast to the way that  
Pauline the doggy neomarker is a good thing. I would say that you've made  
a clean sweep of it. The above said one and I'm sure you're convinced. Be  
well - I'm sure, the 7 good from the end and from the front

8/24/10  
JG

5



MAP OF  
**DELAWARE**



DELAWARE  
INDEX OF CITIES, TOWNS AND VILLAGES

STATE CAPITAL - DOVER  
COUNTY SEAT - DOVER

1111 MAIL COUNTRIES 1111 MAIL COUNTRIES 1111 MAIL COUNTRIES

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z

PEUNYON  
WARTLAND

NEWCASTLE  
STATION

NORTHERN  
NEW CASTLE COUNTY



OFFICIAL HIGHWAY MAP  
OF  
THE  
STATE OF DELAWARE

STATE HIGHWAYS AND  
POWER LINES

1938

DELAWARE  
HARRISBURG

COPY OF  
SOURCE MAP

*[Handwritten signature]*  
Mr. E. S. Miller

R. L. Shackelford

*[Handwritten: T. J. Callahan]*  
①--Mr. N. P. Callahan

(Attention )

1--Mr. E. S. Miller

12/13/71

1--Mr. R. L. Shackelford

1--Mr. F. B. Griffith

1--Mr. G. H. Menzel

b6  
b7C

EASTCON

PURPOSE:

To request a chart depicting the map of Delaware be prepared by the exhibit section suitably mounted for use as an exhibit during the Eastcon trial.

DETAILS:

The break-in of three Selective Service offices at Wilmington, Dover and Georgetown, Delaware, on 6/18/71 and the attempted break-in of another such office in Wilmington on 6/19/71 constitute overt acts in the superceding indictment in this case. These break-ins will be the subject of considerable testimony during the Eastcon trial scheduled to begin 1/10/72 and details concerning them were included in letters from defendant Elizabeth McAlister to defendant Philip Berrigan. Because of the importance of this testimony and the impact on the jury desired by William S. Lynch, Deputy Assistant Attorney General and chief prosecutor in this case, he has requested a chart appropriately mounted be made showing the State of Delaware to use as an exhibit during the trial. Mr. Lynch explained this map should include the location of Wilmington, Dover and Georgetown and the approximate mileage between each city. Mr. Lynch advised that the Official Highway Map of Delaware, put out by the Delaware State Highway Department is the approximate size of the map desired by him for this purpose.

ACTION:

The exhibit section will prepare a chart depicting the map of the State of Delaware as requested by the Department for use as an exhibit in this case.

GHM:kah/tlp  
(6)

*Ben 100-460495  
PH 100-51190*

*Memo. to Mr. [unclear]  
up 12/16/71*

*752*



# Mileage Chart

	BALTIMORE	CHESAPEAKE BAY BRIDGE	DELAWARE MEMORIAL BRIDGE	DOVER	GEORGETOWN	HARRINGTON	LAUREL	MILFORD	NEWARK	NEW YORK, N Y	NORFOLK, VA	ODESSA	PHILADELPHIA, PA	REHOBOTH BEACH	SEAFORD	SMYRNA	WASHINGTON, D C	WILMINGTON
BALTIMORE	75	85	7	50	85	67	94	69	17	127	235	27	24	93	87	39	113	4
BETHANY, DE	123	90	98	55	24	43	31	36	94	218	142	78	129	12	34	66	137	101
BRIDGEVILLE	78	45	73	30	14	13	14	17	69	193	155	53	104	32	7	41	92	76
CAMDEN	87	54	47	4	33	13	40	17	43	167	181	27	78	41	33	15	101	50
DAGSBORO	113	80	91	48	13	36	20	29	87	211	137	71	122	22	23	59	123	94
DELAWARE CITY	69	68	15	35	70	52	79	54	15	135	220	12	46	78	72	24	115	18
DELMAR	100	67	94	51	21	34	7	38	90	214	134	74	125	39	14	62	114	97
DOVER	83	50	43	0	35	17	44	19	39	163	185	23	74	43	37	11	97	46
ELLISON	82	49	54	11	29	6	33	13	50	174	174	34	85	37	26	22	96	57
FENWICK ISLAND	129	96	104	61	29	49	36	42	100	224	136	84	135	18	43	72	143	107
FRANKFORD	115	82	93	50	15	38	22	31	89	213	135	73	124	23	29	61	129	96
FRIDDERIC	91	58	55	12	23	12	37	7	51	175	173	35	86	31	31	23	105	58
GEORGETOWN	92	59	78	35	0	23	14	16	74	198	150	58	109	18	15	46	106	81
GREENWOOD	76	43	68	25	18	8	19	12	64	188	160	48	99	31	12	36	90	71
HARRINGTON	77	44	60	17	23	0	27	7	56	180	168	40	91	31	20	28	91	63
HEWLETT	73	40	44	10	45	27	54	29	40	164	195	24	75	53	47	12	87	47
HEWLETT	93	60	87	44	14	27	0	31	83	207	141	67	118	32	7	55	107	90
LEWES	107	74	82	39	15	27	29	20	78	202	157	62	113	7	29	50	121	85
MAGNOLIA	90	57	50	7	28	13	40	12	46	170	169	30	81	36	33	18	104	53
MIDDLETOWN	86	53	26	28	58	40	67	42	17	146	208	3	57	66	60	12	100	29
MILFORD	85	52	62	19	16	7	31	0	58	182	166	42	93	24	24	30	99	65
MILLSBORO	108	75	87	44	9	32	24	25	83	207	140	67	118	18	19	55	122	90
MILTON	91	58	75	32	10	20	24	13	71	195	161	55	106	17	25	43	105	78
NEW CASTLE	67	74	2	41	76	58	85	60	11	122	226	18	33	84	78	30	104	5
NEWARK	61	71	15	39	74	56	83	58	0	135	224	20	41	82	76	28	98	13
NEWPORT	68	76	5	43	78	60	87	62	10	125	228	20	33	86	87	29	105	5
ODESSA	89	56	20	23	58	40	67	42	20	140	208	0	51	66	60	12	103	23
REHOBOTH BEACH	111	78	86	43	18	31	32	24	82	206	149	66	117	0	33	54	125	89
SEAFORD	86	53	80	37	15	20	7	24	76	200	148	60	111	33	0	48	100	83
SMYRNA	118	85	97	54	19	49	96	95	92	217	130	77	198	92	90	65	199	106

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Dover, Delaware

# ELIZABETH (KNOWN)

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letter

July 24, 1970

There's a letter <sup>1</sup> we been meaning to write all week <sup>2</sup> in only sorry - have delayed so long. There <sup>3</sup> about 31 because why I've left it go but I'll give you the summer-  
ation of them

<sup>4</sup> First of all I want to thank you <sup>5</sup> for your reception of us at <sup>6</sup> last week I am sorry that so many men had to be on the scene and know all that time from their ordinary duties. Their presence was unnecessary but understandable as we had no intention of <sup>7</sup> any sort of discipline action. We wanted <sup>8</sup> to express as far as possible, to <sup>9</sup> communicate our reasons for our friends and to get <sup>10</sup> some information about them. You seemed to understand so we felt for a 'demonstration' rather than a serious small interview - and for that too <sup>11</sup> I am grateful

<sup>12</sup> In the <sup>13</sup> turn, we <sup>14</sup> have done nothing about your suggestion of attempting <sup>15</sup> to schedule a meeting with Mr Parker (or his replacement, if that has occurred). There are two reasons for this. First of all, we had been promised a report from Mr Norman Carlson which was to have been here by today. We felt that we should wait to receive this and then see if there were further questions to bring to the Warden. Secondly, we needed to speak with someone on the scene. The Warden seemed the natural person to ask for. But it was not in an effort to go 'over you. head'. I was quite satisfied/pleased with the information you gave us especially because you had spoken with Mr Farrigan just before seeing us. You communicated his most recent thoughts & attitudes to us and I

with a couple of us I risk saying  
(or partially, at least) cognizant of what  
into the administration of an institution  
Levensburg. But I say it because of our  
Philip, David, George Musche and many  
whom I for one find it difficult to  
concept of rehabilitation associated  
son. It is summed up in the simple  
t: How do you prepare men to take  
ce in society when they are in conscience  
d that that society is filled with disease  
a need of radical change if it is ever  
re? To pursue the rehabilitation theme  
ch men would mean a lifetime

in prison to death in prison thereby depriving society  
of the positive insight & contributions these men have  
to make to it.

I don't know if such a meeting is possible, still  
less whether it would be at all productive. But, as  
we pointed out to the men in Washington, there are  
some 31,000 young men who have resisted or are  
resisting induction since May of this year. Our  
concern is not simply for Philip & David but for all  
of them and for what could happen to them.

I won't extend this further here. didn't mean to  
go on this long. It was a pleasure meeting you &  
we will write again after we have heard from Washington.

Sincerely in Xt  
St Elizabeth MacAllister RSM

ELIZABETH MCALISTER

Q

QUESTIONS

## ELIZABETH (QUESTIONED)

Bryd—

The enclosed is dynamite (I mean it). The proposal (#3) is something some + I mean no one should know about. I want his 5 mbs to for the reasons indicated + (you) must of necessity. So it's something I'm entrusting to you. I want him to get this letter if at all possible, if not at least the contents of it.

How are you? Loved the time spent in Leysburg. You have a beautiful community there which needs only someone within it to urge it to action. I kind of think, at this stage, that that's essential. They've seen enough of outsiders + know the facts. One of them must now take the leap or an action must be done there by an outside group + let them work out the follow-up - that as a 1st stage in resistance.

Listen, I'll call Friday at 4:00 at the 524 - 0038 number. If you don't answer, I'll presume you haven't gotten this yet + try for Sat. at 12:15. We didn't set up a time + I don't want to call the house so this seemed best.

lots of love to you + all  
liz

The Lot of Political Prisoners in the Federal Penal System:  
Before engaging a question like Federal Penal System policy toward Political Prisoners, one must provide a context for its operations, both national & local. Otherwise like a few behaviorist psychologists, one deals with penal reality as an isolated phenomenon, subject in no sense to deeper causes. In this limited view, the inmate becomes one victimized by a backward penal system. Time considerations being what they are guess this will be the last effort along these lines & this may even come too late - who knows. There are basically 3 things I want to let you know. First, by way of reaction to evaluation of the top level thing. It is my guess that H. got the middle letter claiming right for reinstatement. This for 2 reasons. His attitude toward me was a complete about face. He was out for blood (mine) up at least the 1st 3 hours. And that wasn't expected since he claimed he didn't get it. The letter contained a criticism of the NY Times piece of the guy who was given a look at you & then went on to ask for reinstatement. Writings of this new attitude were plentiful & none of us could have missed it. Nothing would stop him from reading a section of the contraband & going beyond the issue into a personal note was more than accidental. He told me I was the most selfish person he'd ever met etc. I refused to be angry or respond on that level. He was clearly distraught by the whole thing & is a violent person - a violence he failed utterly to control. I would not exactly say it was a productive thing although I feel some understanding was created. You would know best the outcome & effectiveness, if any. But then we did not know what to expect or what we wished to achieve. The best part was seeing you & the old fighting spirit & to know first hand that beyond physical confinement, they had no control over you. Funny - was always able to tolerate these group sessions that demanded such discipline because there would usually be a sense of time

although I feel some understanding was created. You would know best the outcome & effectiveness, if any. But then we did not know what to expect or what we wished to achieve. The best part was seeing you & the old fighting spirit & to know first hand that beyond physical confinement, they had no control over you. Funny - was always able to tolerate these group sessions that demanded such discipline because there would usually be a space of time later on when that could be let drop. The horror of Fri. was that there was no space afterwards & I only fully grasped that later that night. In all our efforts to face reality, in some instances it still alludes us. The second is the proposal that I jokingly I opened to you in the corridor. If you would like it - now or some time later - we can do it. See him & talk to him about it if you wish & think it over seriously & we'll work it out. En route to Banbury might be too soon at this point to do anything. Either while there or a later passage is subject to discussion. We can also arrange it "non-violently". I say this not to exert pressure one way or another. The future is an unknown - except in certain status quo areas - & I don't have a preference for the exact lines that future will take. I'm open to all sorts of possibilities & the reality will undoubtedly be "none of these". One problem I have with that (i.e. either you or I coming out) is that it says the movement can't go on with one of you / or both. And I'm arrogant enough to think / believe that your being where you are is enough to make the rest of us get off our tails to prove that it can. Which leads me to #3 & this is

036 100-460495 HK  
FBI  
LABORATORY

8/21/70  
Jen



The Bachelor

EXTRACTED

David W. Day 8.22.80

# THE USE AND EFFECTIVENESS OF GROUP THERAPY IN THE FEDERAL JAIL SYSTEM

An emphasis on relationship seems to have sponsored a growing tendency on the part of penal administrators to have inmates in more personal contact with one another and with staff members. In other words to provide a setting for improved acceptance of one another, as well as an opportunity to discuss recidivist questions.

The new information about H. bringing back fond memories. A week after the Contraband bust, he called me in with the Captain there and the other, which he had denounced and practically memorized. He didn't sample to go over the personal aspects of it with obvious relish, as though to say - "Ev' you got a thing goin'?" Just like Martin King, huh? He wanted a confession, and I laughed at him and told him he had no evidence (he hadn't caught the charge with it). Then I picked his bones for a while, and he got furious. I told him if he had suspicions about you and me, that he should drop your privileges after I wrote you taking full blame for the mess. He said that wouldn't be necessary. The next day he reacted the charge telling him I had confessed everything. After that failed, he suspended your privileges and put me under "heat" (which I allowed to develop until I had enough on him to pull the chain) (and he took a very bad whipping, as the interview displayed all the consequences, he was scorned - I caught him in what he got three flagrant lies. In a sense, you exposed him also and he could do nothing but hate you for it. Because I'm convinced he got your letter that when anyone plays to his ego and gives him the illusion that he has control. Then he will play plantation over, maintaining a saccharine tolerance. But call his bluff and he acts like a chafed rat. The harder you hit this, and assumed more & more control of the discussion, while what he said made less and less sense. I assumed when I came in that he had given you a tough time to go, but didn't know to what extent. So a real education - the days at the top, Nixon, Mitchell et al, will make him look like a Knight of St. Gregory in comparison. We'll see it yet, 8/24

and we'd remember that we're justly proud of war, all, and the best part of the afternoon was all your glowing for me, and knowing that the best elements of the two parties still remained (New par) The last an -  
 deating stroke he took and was there were elements of propaganda in the way but no drama, and no organization. But I don't, the stroke expected sure travel and I'd not go this week - next time or there, would be more likely to get 2 from you via regular channels in addition to the "heavy" one. Please you "What can I say?" (New par) I don't know precisely how to answer #2. I presume you refer to a similar book here after a comparison with the Chinese. Unless the new piece offers unusual potential, would be practical to that as I see it, there's no overriding reason why we should be together longer than a couple of months. Our approaches to the movement are quite different. Even so a superior propagandist, and does it incomparably well. But I have different views about priorities.  
~~possibilities~~, as you know then in #10, you make reference to the "coming out." As I might have told you before I would come out only if the movement is much more than it is now - I mean generally, not our crowd - or if it became clear that the feds would stick firm with the 6 yrs. bit, which would mean another 34 mos. From this viewpoint, that would be absurd, and I'd take my chances for resisting it. You know, if there's no reduction in the offering, there's a good chance that national legislation will be passed in the Fall which opts for release of 1st offenders with 1/3 of sentence served. We'll beat them one way or another (New par) I don't know what effect Sam's position & mine has had on our people. I would like to think it had none, which is to say, your propaganda line, is well founded well you permit me a little compliment, Doctor? The big difference rests largely with your coming in. Will you permit another observation? My affinity for you was not wholly personal - I would have been a fool to ignore what you had to offer to revolution. Respect - you insisted on your own freedom, you had incomparable generosity and you loved the Book of Jesus. I was all there, and one merely had to give it time. And when then Volpasey is over, I will learn from you - that why I want rep. months to do the books, and get my head together in an atmosphere.

(3)

where I can get several kinds of education - not just philosophical or ideological. But the Communist thing, & the Eucharist, and the kind of belief that we've had before, and which has taught me so much (New par.) It occurs to me also that you might refer (in #2) to a confab with Dan about widening the inner circle. To be frank, I've thought a bit about this since a more & Kenbury came on the horizon. And decided against it, that is, telling him alone. It strikes me that we should announce this new development of sacrament together, or not at all. In any event, you can clear up my confusion about #2 when you come to Danbury. I hear that visiting is much more human there, more frequent etc. (New par.) Now we come to #3.

First between you and me, I have never been overmuch impressed, w/ Eg. He's dear friend, very helpful in the last months, lovely guy, good ideologue, but still to produce I think the role of man from Messianic is the safest one with him (I have this terrible suspicion regarding a castrum) With few exceptions, the h. stands well let others go to the various without a serious manner they did it on E. many as if they're taking it home. C. & E. is from that stream. You see how, the belief isn't there - Strong fellow at least but not in a new thing. But there are more reservations - I'd be delighted to be so long (New par.) About the plan - the first time opens the door to murder - the Tupamaros are funding that out in Uruguay - I hope you're following them (Last 2 issues of the Guardian). Then I refer to murder it is not to put it at it immediately (evidence against non-violence arg) it is merely to show that we have set the precedent, and that later on, when good resistance to this sort of thing is offered, men will be killed. More. The point, the project as you outlined it is brilliant, but grandiose. I've found with better expense, that action people opt for too much. There's either stopped or negotiated (another not light about E. and the ~~book~~) much is to say that grabbing the gentleman will take a force of, and up to 10 of your best people - guarding him, getting communications out, perhaps moving him 2 or 3 times within the week. Now, in addition, to ~~maintain~~<sup>guard</sup> a provision of ~~liberals~~ would take 1/2

(H) dozens more, making the network too small. But even if that were possible, how can it be guaranteed that they would infect him in any sort of real fashion? Then too, the common view is that K is the architect of honorable withdrawal from S. E. Asia, and in some of the liberals believe that they to get the truth out is that the economy is all over, and it might as well be there as elsewhere, and that we intend to stay. That might mean a Korean taxpayer, but then we'd have to let it up elsewhere. We go into the dilemma of more serious recession, rising unemployment at home. Then what should be gotten from K, but can the liberals do it? (New par) None the less, I like the plan and am just trying to weave elements of modesty into it. Why not coordinate it with the one against capitalist activities - you should talk more thoroughly with the Charge about this, or with Little Shane or Big Joe Zerman. To disrupt them, and then grab the Brain Child - this would be escalation enough. (New par) This comes off the top of my head. Why not grab the Brain Child, treat him decently, but tell him nothing of his fate - or tell him his fate hinges on release of pol people or cessation of air strikes in Laos. Then have patterns of movement people - Brain Child blindfolded - engage him on policy. After he has been taught (the consideration of his safety will make him more and more human in his answers) get it filmed and recorded. One thing should be implanted in that pea brain - that respectable murderers like himself are no longer inviolable! (This should be done just before release.) And that if he doesn't work for the range policy, the likes of him will be killed by less scrupulous people. Finally, that political prisoners are the best guarantee of his sweet skin's safety, and that he better get them out of jail. (New par) Taken along these lines, you have both a material and personal confrontation with the warmakers. The trick to pull off is to let them see, very hard without giving them violence to react to, or justify themselves with. (New par) He can be kept blindfolded, and participants can wear stocking masks & disguise their voices. It can be done and brilliantly. (New par) I would see Eg on it immediately, but tie it in with the D.C. 1/2

63.  
franco, or by the imagination under ropes. If the under current in our  
best work is so intense as if they're caught - there's a human  
miserable it would mean life (but this is a far too high com-  
munist (the man) I'm sorry even as yet cannot imagine how 3 mos  
disaster would be. I would imagine that he would have chances in his  
can to call for positive assistance at the slightest danger. The thing to do  
is find out the man he goes for, and then he should be - if  
he should be (the man) I don't think Egan could see even then on this - he'd  
probably need to be taken of both ideas and modesty should be kept on  
him. I'm sure, I don't think he'd be the same guy to work with. And yes,  
this is the same with. Love for the guy, with gratitude for the past  
months, as a with a recognition of his intelligence and talent. I would be  
good - a few - something there - but perhaps these have already been worked  
out. (New par.) Just read your two letters (15th & 16th) over. They're not dull  
at all. Any you come through beautifully, if with restraint. And I get all  
the ideas and delight in them. You're too big for humanity, <sup>Chum</sup> Peter,  
which means I'd have to grow in order to compete. I remember well the  
(years ago)  
even in question - how you read the manifesto to me - thought that was  
superb. You anticipated the women's lib thing, and with complete justice.  
Went from there, set out on to even more serious positions. Outstanding  
the recovery you made from a bit of a summer in Europe, and the same  
in England. (New par.) On writing this on the Aug 21 - the last 22 be a lot of isolated  
stuff. The first thing like a scandal, but maybe something commensurate to  
a year or two away. I don't know what to say so far. He's a man who's  
he might move in the field, but he might not. I don't know. I'm  
supposed to be doing some work with them - but then an eccentric,  
unpredictable type. I don't say that. Can't Jerry have gotten to know  
this much. I don't appear to have great difficulty handling Norton on  
the meeting thing, but if you do, manage to get word to me. Has that  
written, yes, but I can't see about it. (New par.) I'm sure that the  
way the Club handles with you, in contrast to the 2, is a reason that  
I don't like the guy or even. He is a good thing. I would say that you've made  
clear sense of all the things said to me, and then you've converted Be-  
well - I'm sure the 2 good from the 2nd and from the first. 1/24/1

Phil Benjamin

know

2 1 2

6 4 3 2  
(And) (he) for to

7 5 12 1  
(B.J.) him It with

8 10 9 11  
week before movement good



with a Virginian with excessive antipathy for income tax  
reason - another with a New Yorker, here for stolen car, is  
apparently responding to rehabilitative process. (He has a  
hunch a guff for the heady life of the fuzzi. Will try to  
hunt down Peter later to see if he has news, or has  
brought in news. Sun, then in a minute hit us with the reminder  
that Peter was a prisoner of contraband, and that they were  
looking to bust him. Naturally, caution resulted. So we are  
using irregular channels. The flow is mostly one-way - he isn't  
confident of getting things out, but has gotten nothing in for  
several weeks. And then there's the Delaware Gap. No coast, no  
complaints, friend - just have little to answer. We are thinking  
of community efforts, and pulling for them with all of our own  
strength. More later. Suggest you codify your regular stuff.  
It looks more and more bleak regarding influx. Watched outside  
the wall today, but no openings - the back keeps an eagle eye on  
us. Earthshaking sentiments for you - prayer, too. More later. Have  
not been working on a codex, and abandoned it as a  
factoring. But will continue to put mind to it. Suggest this initial  
letter system evolves. Call Peter once a week, and have him tell you  
what's going on. And if there's something to write via irregular channels,  
is that in a very business-like fashion. Sans personal stuff,  
in obvious reasons. All this is an exercise in patience and  
revolutionary discipline. (But above all, don't sweat you  
unduly concerned, with all the things you have to do. That  
would be grossly unfair. Will try to clarify this more, and to look

NOTES OF Mon. May 24<sup>th</sup> - Two interviews today - one  
with a Virginian with excessive sentence for income tax  
evasion - another with a New Yorker, here for stolen cars;  
apparently responding to rehabilitative process. Then  
a bunch a guff for the heady eye of the fuzzi. Will try to  
hint down Peter later to see if he has news, or has  
brought in news. Sunday, an invertebrate hit us with the news  
that Peter was a courier of contraband, and that they were  
looking to bust him. Naturally, caution resulted. So now  
on irregular channels. The flow is mostly one way - he  
confident of getting things out, but has gotten as things in for  
occasional. Then there's the Delaware Gap. No secret,  
Conn. Co. in the front - just have little transmitter. We are thick  
of community efforts, and pulling for them with all of our own  
strength. More later. Suggest you codify your regular stuff.  
It feels more and more bleak regarding influx. Worked on  
the wall today, but no openings - the back keeps an eagle eye  
on us. Enthusiasm sent me to for you - for you, too. More later. He  
just then working in a code, and abandoned it as unsat-  
isfying. But will continue to put mind to it. Suggest this mind  
better system evolves. Call Peter once a week, and have him  
with you. And if there's something to write via irregular channels  
do that in a very business like fashion. Some personal stuff  
for obvious reasons. All this is of course in patience and I.

And Mrs. Nick's advent. Plus some of the young guys here - who  
more and more, sit in on the raps - can then, back to back, new  
old and experienced cons, for all of their young ages. They can be  
responsible, personable, friendly, disarming, direct. But what can  
injection they'll add to our movement. We hope, before we leave  
here, to have them started on an investigation of life - one which  
will put their obvious talents at our disposal. It is a long  
shot, but not unlikely. (New paragraph) As for our Peter, he is  
more and more immersed with the idea of being of service. He will  
draw in some like, people from the area, so that for the first time  
they can hear something real from someone like you, or from one  
some of our other staff. Peter still hasn't been able to get in on  
that stuff - yours & others - but will try it soon. (New paragraph)  
more comment on the anniversaries - you remember the specifics of  
instance, but I tend to remember the whole experience. Even the times and  
place I felt when I bumped your head for you - or when our zeal to  
lift you with all the marks of the rainbow. But everything you did  
understood, and accepted. So the fire burns ever more incessant, and  
is it liable to be banked or extinguished. (New paragraph) Carol  
wants that they have contact with the blood line, who is determined  
to follow said course. Maybe we'll hear directly one of these times  
from you though if he would feel tight about writing, I'd rather he  
wouldn't. Hope you have a good rap with Peter on Thurs. Will settle  
for these randoms for now. Most powerful affectivity goes on your  
execution, cousin. Care for the person, LIZ, remembering the claim  
his Cabbage has staked there.

Original of Q. 27

less of a problem. More notes tomorrow. These are notes for Tues  
May 26<sup>th</sup>. Strikes me that yesterday's notes are somber and  
dull. Sorry, cousin! Your letter of Sat. the stimulus I needed  
And Mrs. Wick's advent. Plus some of the young guys here - so  
more and more, sit in on the raps - can then, bank robber  
old and experienced cons, for all of their young ages. They are  
cautious, reasonable, funny, violent, racist. But what an  
injection they'll add to our movement. We hope, before we leave  
here, to have them started on an investigation of life - one who  
will put their obvious talents at our disposal. It is a long  
shot, but not unlikely. (New paragraph) As for our Peter, he is  
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wait. Hope you have a good rap with Peter on Thurs. Will set

ENCLOSURE



100-460495-565

UNITED STATES GOVERNMENT

## Memorandum

DATE

9/9/89

TO

FROM: DIRECTOR, FBI (100-460495)

SUBJECT

FROM: SAC, NEW ORLEANS (100-19009) (RM)

SUBJECT: EASTCOAST

☒ File Destruction Program

(Title)

Enclosed are 2 items

These items are forwarded your office since

☐ All logical investigation completed in this Division☒ You were OO at the time our case was RUC'd

Enclosures are described as follows

2 1-A EXHIBITS       LAB REPORTS       FD-302's       BULKY EXHIBITS

100-460495

Enc

ENCLOSURE

ENCLOSURE ATTACHED

NOTE DO NOT BLOCK STAMP ORIGINAL ENCLOSURES

FOUR  
NBH

outcomes (re)  
9/20/89







100-160495

ENCLOSURE

File No. 100-18909-1A ①Date Received 1/8/71From PASSPORT OFFICE, U.S.D.S.

(NAME OF CONTRIBUTOR)

WASHINGTON, DC

(ADDRESS OF CONTRIBUTOR)

(CITY AND STATE)

By SA JOHN L. STANLEY

(NAME OF SPECIAL AGENT)

To Be Returned ☐ Yes  
☒ NoReceipt given ☐ Yes  
☐ No

## Description:

1 COPY OF 1967  
PASSPORT PHOTO OFb6  
b7C

100-460495

File No. 100-18909-1A (F2)

Date Received 1/8/71

From KOPD Arrest Record 140-035  
(NAME OF CONTRIBUTOR)

(ADDRESS OF CONTRIBUTOR) b6 b7C

(CITY AND STATE)

By [Redacted]  
(NAME OF SPECIAL AGENT)

To Be Returned ☐ Yes  
☐ No

Receipt given ☐ Yes  
☐ No

Description:

*photo*



100-460495

1/18/71

AIRTEL

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 12-11-79 BY SP-5 RJW/MC

TO : DIRECTOR, FBI (100-448675)  
(ATTN: DDD)  
FROM : SAC, NEW YORK (105-108246) (RUC)

SUBJECT: [REDACTED]  
IS - MISC

Re: Airtel to Bu, 12/31/70; Butel to PH, 1/14/71.

On 1/23/71, the Postal Inspector's Office, USAPO  
Department, NYO, advised SA WALTER C. ZINK the only indication  
they have of the subject's residence at [REDACTED]  
[REDACTED] is a change of address card dated 10/12/70 advising one  
[REDACTED] was moving to [REDACTED].  
They were never requested to either reroute or hold, for a period  
any mail directed to [REDACTED].

On 1/15/71, SA [REDACTED] attempted to contact  
residents of [REDACTED] without success. It is noted that the  
building houses four apartments, one of which is occupied by

[REDACTED]  
[REDACTED] is his number one man. Another apartment is occupied by  
[REDACTED] who has been in telephonic contact with the subject.  
The other two apartments are held by an [REDACTED].  
The mail boxes do not indicate nor are they  
arranged by apartment.

2-Bureau (RM)  
(100-460495)  
2-Chicago (100-45623) (RM)  
(100-50237)  
1-New York (100-168839)  
1-New York  
EOL:kxb

MAR 16 1971

100-460495  
NOT RECORDED

141-9-97

b6  
b7C

ELIZABETH MCALISTER

KNOWN

FEDERAL BUREAU OF INVESTIGATION  
FOIPA  
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Page 20 ~ b7D

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